

4-28-2011

# Hobson Manufacturing Corp. v. SE/Z Const. Clerk's Record v. 6 Dckt. 38202

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IN THE  
SUPREME COURT  
OF THE  
STATE OF IDAHO

HOBSON FABRICATING CORP.,  
an Idaho corporation,

PLAINTIFF-COUNTER DEFENDANT-APPELLANT,

and

SE/Z CONSTRUCTION, LLC,  
an Idaho limited liability company,

DEFENDANT-COUNTER CROSS DEFENDANT-APPELLANT,

vs.

STATE OF IDAHO,  
acting by and through its Department of Administration,  
Division of Public Works,

DEFENDANT-COUNTER CROSS CLAIMANT-RESPONDENT.

*Appealed from the District Court of the Fourth Judicial  
District of the State of Idaho, in and for ADA County*

*Hon RONALD J. WILPER, District Judge*

DAVID M. PENNY and  
FREDERICK J. HAHN, III

*Attorney for Appellant*

PHILLIP S. OBERRECHT

*Attorney for Respondent*

VOLUME VI

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Supreme Court of Appeals  
District of Idaho

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WA\11-194.55\MEMORANDUM OF COSTS.Hobson.doc

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HOBSON FABRICATING CORP., an Idaho  
corporation,

Plaintiff,

v.

SE/Z CONSTRUCTION, LLC, an Idaho limited  
liability company; and STATE OF IDAHO,  
acting by and through its Department of  
Administration, Division of Public Works,

Defendants.

STATE OF IDAHO, acting by and through its  
Department of Administration, Division of  
Public Works,

Counter-Claimant,

v.

HOBSON FABRICATING CORP., an Idaho  
corporation,

Counter-Defendant.

Case No. CV OC 0508037

**THE INDIVIDUAL DEFENDANTS'  
VERIFIED MEMORANDUM OF  
COSTS AGAINST HOBSON  
FABRICATING CORP.**

SE/Z CONSTRUCTION, LLC, an Idaho limited liability company, )  
)

Cross-Claimant, )

v. )

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works, )  
)

Cross-Defendant. )

---

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works, )  
)

Counter-Cross-Claimant, )

v. )

SE/Z CONSTRUCTION, LLC, an Idaho limited liability company, )  
)

Counter-Cross-Defendant. )

---

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works )  
)

Third-Party Plaintiff, )

v. )

RUDEEN & ASSOCIATES, A PROFESSIONAL COMPANY, an Idaho limited liability company, )  
)

Third-Party Defendant. )

---

**COMES NOW** defendants Ken Gardner, David Rook, Chris Motley, Elaine Hill, Larry Osgood and Jan Frew (collectively referred to as the “individual defendants”), by and through undersigned counsel, and submit this Verified Memorandum of Costs.

## **I. FACTUAL BACKGROUND**

Hobson brought the instant action against SE/Z and the State, demanding its costs incurred on the Project, as well as damages for breach of contract, breach of implied warranty and a cause of action for termination for convenience. SE/Z filed a cross-claim against the State, seeking damages for itself, Hobson and Lea Electric under theories of breach of contract, breach of implied duty of good faith and fair dealing and third party liability. The State, in turn, filed counter-claims against Hobson for breach of contract, breach of warranty, indemnity, and contribution, as well as cross-claims against SE/Z for breach of contract, breach of warranty, breach of implied warranty of workmanship, breach of the duty of good faith and fair dealing, indemnity, and contribution. The State further filed a cross-claim against Rudeen for breach of contract, indemnity and contribution based upon the allegations contained in Hobson and SE/Z's complaints alleging defective design.

Hobson filed a separate action against the individual defendants for slander, tortious interference with contractual relations and intentional interference with prospective economic harm in relation to the Project and other work projects involving Hobson and the State. Specifically, Hobson filed this against Ken Gardner, David Rook, Jan Frew, Larry Osgood, Chris Motley and Elaine Hill (collectively referred to as the "individual defendants"). This action was subsequently consolidated with the cause of action related to the Project.

In a decision dated February 28, 2007, the Court dismissed the State's counter-claims against Hobson. On April 24, 2007, the Court dismissed Hobson's claims against the individual defendants. The Court similarly dismissed Hobson's direct claims against the State.

The parties tried this case for three weeks in the fall of 2008 and a mistrial was declared on October 31, 2008. Subsequently, the case was reset for trial in April 2010. On March 26,



2010, the Court issued a Memorandum, Decision and Order on Plaintiff's Motions in Limine dismissing the State's claims against Rudeen & Associates with prejudice. The Court's March 26, 2010 order also dismissed the State's counterclaim against SE/Z. On April 2, 2010, the Court issued its Memorandum Decision and Order on Motion to Reconsider, Motions for Clarification and Motions in Limine, limiting Hobson's damage claims against SE/Z and SE/Z's claims against the State.

Prior to the trial, Hobson and SE/Z settled and SE/Z and the State entered into a settlement agreement resolving the underlying litigation but for the question of costs and attorney fees, which the parties specifically reserved out. Without admitting liability, and for purposes of buying its peace, the State paid SE/Z a total of \$225,000 to settle its claim. Of this amount, the State was informed \$90,000 was to be paid from SE/Z to Hobson.

## **II. COSTS**

### **A. Pursuant to Idaho Rules of Civil Procedure 54(d)(1) the Individual Defendants are Entitled to Costs Outlined in I.R.C.P. 54(d)(1) as a Matter of Right.**

#### **1. Standard**

Idaho Rule of Civil Procedure 54(d)(1)(B) defines a "Prevailing Party" as follows:

In determining which party to an action is a prevailing party and entitled to costs, the trial court shall in its sound discretion consider the final judgment or result of the action in relation to the relief sought by the respective parties. The trial court in its sound discretion may determine that a party to an action prevailed in part and did not prevail in part, and upon so finding may apportion the costs between and among the parties in a fair and equitable manner after considering all of the issues and claims involved in the action and the resultant judgment or judgments obtained.

The determination of whether there is a prevailing party for purposes of an award of costs or attorney's fees, and if so to what extent, is committed to the sound discretion of the trial court.

Polk v. Larrabee, 135 Idaho 303, 17 P.3d 247, 256 (2000); Adams v. Krueger, 124 Idaho 97, 856

P.2d 864, 867 (1993); Cunningham v. Waford, 131 Idaho 841, 965 P.2d 201, 205-206 (Ct. App. 1998). The “trial court is vested with broad discretion to determine the prevailing party in a multiple claim action.” International Engineering Company, Inc. v. Daum Industries, Inc., 102 Idaho 363, 366, 630 P.2d 155, 158 (1981).

“In reaching the decision as to whether a party ‘prevailed,’ Rule 54(d)(1)(B) requires the court to consider three areas of inquiry: (a) the final judgment or result obtained in the action in relation to the relief sought by the respective parties; (b) whether there were multiple claims or issues between the parties; and (c) the extent to which each of the parties prevailed on each of the issues or claims.” Chadderdon v. King, 104 Idaho 406, 411, 659 P.2d 160, 165 (Ct. App. 1983). The “result obtained” may be the product of a court judgment or of a settlement reached by the parties. Sainsbury Construction Co., Inc. v. Quinn, 137 Idaho 269, 274, 47 P.3d 72, 777 (2002).

## **2. The Individual Defendants Prevailed Against Hobson in the Consolidated Action.**

The individual defendants are the prevailing party with regard to Hobson’s claims against them in the consolidated action. Stated simply, the individual defendants were dismissed as a matter of law pursuant to a motion for summary judgment—the most favorable outcome possible by the individual defendants.

In Daisy Manufacturing Co., Inc. v. Paintball Sports, Inc., 134 Idaho 259, 999 P.2d 914 (Ct. App. 2000)(overturned on other grounds by BECO Construction Company, Inc. v. J-U-B Engineers Inc., 2010 WL 2136474 (Idaho May 28, 2010), the Idaho Court of Appeals reversed the trial court’s determination that Paintball was not the prevailing party, when the sole claim against it was dismissed. The Daisy court explained, “[i]n our view, the district court did not properly apply the criteria of Rule 54(d)(1)(B) in holding that Paintball was not the prevailing party. The ‘result obtained’ in this case was a dismissal of Daisy’s action with prejudice, the

most favorable outcome that could possibly be achieved by Paintball as a defendant. Daisy gained no benefit as a consequence of the litigation.” *Id.* 134 Idaho at 262.

In the instant action, the only causes of action between Hobson and the individual defendants were Hobson’s claims for slander, tortious interference with contractual relations and intentional interference with prospective economic relations. Pursuant to individual defendants’ Motion for Summary Judgment, the Court issued a Memorandum Decision and Order dated April 24, 2007, whereby all of Hobson’s claims against the individual defendants were dismissed.

As such, the individual defendants obtained the most favorable result possible with regard to Hobson’s claims, and Hobson obtained nothing by means of its lawsuit against the individual defendants. As such, the individual defendants are the prevailing party with regard to Hobson’s complaint and causes of action against them.

The individual defendants incurred the following costs:

1) **COSTS AS A MATTER OF RIGHT - Idaho Rule of Civil Procedure**  
**54(d)(1)(C)**

**a) COURT FILING FEES 54(d)(1)(C)(1)**

Notice of Appearance Fee	\$52.00
Notice of Appearance Fee	\$52.00
<b>Total claimed pursuant to 54(d)(1)(C)(1)</b>	<b>\$104.00</b>

**b) CHARGES FOR REPORTING AND  
TRANSCRIPTIONS 54(d)(1)(C)(9) and (10)**

Ted Frisbee	\$580.10
Ken Gardner (copy)	\$163.82
David Rooke (copy)	\$164.88

Total claimed pursuant to 54(d)(1)(C)(9)(10):

\$908.80

**TOTAL OF COSTS AS A MATTER OF RIGHT**

**\$1,012.80**

The Individual Defendants reserve the right to amend, edit and add items to his  
Memorandum of Costs.

DATED this 25<sup>th</sup> day of June, 2010.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By 

Phillip S. Oberrecht  
Special Deputy Attorney General  
Of the Firm Hall, Farley, Oberrecht  
& Blanton, P.A.  
Attorneys for Defendant State of Idaho,

VERIFICATION

STATE OF IDAHO )  
 ) ss:  
County of Ada )

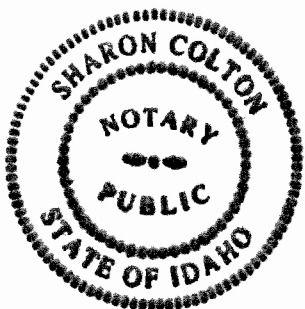
I, PHILLIP S. OBERRECHT, being first duly sworn upon oath, depose and say:

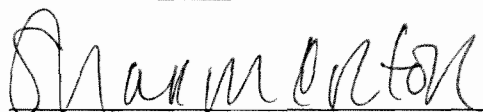
I am one of the attorneys representing the Individual Defendants in the above-captioned action, and as such, I have knowledge of the cost amounts itemized in the Memorandum of Costs and the circumstances to their being incurred.

I have reviewed the foregoing Memorandum of Costs. The costs described therein are true and correct and were reasonably and necessarily incurred in the defense of this action. To the best of my understanding, the costs shown herein are in compliance with the Idaho Rules of Civil Procedure.

  
\_\_\_\_\_  
PHILLIP S. OBERRECHT

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of June, 2010.



  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at Wase  
My Commission Expires: 6/25/13

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25<sup>th</sup> day of June, 2010, I caused to be served a true copy of the foregoing by the method indicated below, and addressed to each of the following:

David M. Penney  
Cosho Humphrey, LLP  
800 Park Blvd., Ste. 790  
Boise, ID 83712  
Fax No.: (208) 338-3290

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ Telecopy

Frederick J. Hahn, III  
RACINE OLSON NYE BUDGE  
& BAILEY, Chtd.  
477 Shoup Ave. Suite 107  
P. O. Box 50698  
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- ☒ Telecopy

Traeger Machetanz  
J. Todd Henry  
Oles Morrison Rinker & Baker, LLP  
701 Pike Street, Ste. 1700  
Seattle, WA 98101-3930  
Fax No.: (206) 682-6234

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ Telecopy

  
\_\_\_\_\_  
Phillip S. Oberrecht

NO. \_\_\_\_\_  
FILED P.M. 3:34  
A.M. \_\_\_\_\_

JUL 09 2010

J. DAVID NAVARRO, Clerk  
By KATHY J. BIEHL  
DEPUTY

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Counsel for Hobson Fabricating Corp.

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Counsel for Hobson Fabricating Corp.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HOBSON FABRICATING CORP., an Idaho  
corporation,

Plaintiff,

v.

SE/Z CONSTRUCTION, LLC, an Idaho limited  
liability company; and STATE OF IDAHO, acting  
by and through its Department of  
Administration, Division of Public Works,

Defendants,

STATE OF IDAHO, acting by and through its  
Department of Administration, Division of Public  
Works,

Counter-Claimant,

v.

HOBSON FABRICATING CORP. an Idaho  
corporation,

Counter-Defendant,

NO. CV-OC-2005-08037

PLAINTIFF'S OPPOSITION TO THE  
INDIVIDUAL DEFENDANTS'  
VERIFIED MEMORANDUM OF  
COSTS AGAINST HOBSON  
FABRICATING CORP.

PLAINTIFF'S OPPOSITION TO THE INDIVIDUAL DEFENDANTS' MEMORANDUM OF COSTS

ORIGINAL

01013

SE/Z CONSTRUCTION, LLC, an Idaho limited liability company,

Cross-Claimant,

v.

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,

Cross-Defendant,

---

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,

Counter-Cross-Claimant,

v.

SE/Z CONSTRUCTION, LLC, an Idaho limited liability company,

Counter-Cross-Defendant,

---

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,

Third Party Plaintiff,

v.

RUDEEN & ASSOCIATES, a professional company, an Idaho limited liability company,

Third Party Defendant.

## I. INTRODUCTION

Plaintiff Hobson Fabricating Corp. ("Hobson") respectfully requests that the Court deny the Individual Defendants' request for award of costs. The State moved to consolidate Hobson's separate action against the Individual Defendants into this cause, in which the State's counsel represented those defendants. The State now impermissibly seeks to recover costs it spent in defending an action in which it was not the prevailing party.

PLAINTIFF'S OPPOSITION TO THE INDIVIDUAL DEFENDANTS' MEMORANDUM OF COSTS



In order to be determined to be the "prevailing party," and therefore entitled to receive the costs they seek, under Idaho authority the Individual Defendants must have "prevailed overall" in the action, which those Defendants did not. The authority cited by the movants is distinguishable from the facts of this matter, and does not support the award of costs they seek.

## II. STATEMENT OF THE FACTS

This cause involved the various contract-based claims of the parties arising from the agreement between Defendant SE/Z Construction, LLC ("SE/Z") and Defendant/Counter Cross-Claimant State of Idaho ("State") for the construction of a BSL-3 laboratory in Boise (the "Project").

In a separate action, Hobson brought tort claims against a number of individual employees of the State (the "Individual Defendants") connected to the Project. The State, which defended the Individual Defendants, then successfully sought to consolidate the matters, and then on October 31, 2007, after only a brief time in which they were part of this action, the State was successful in having the Individual Defendants dismissed.

After a number of summary judgment rulings on other aspects of the parties' causes of action, the remaining causes between the parties--including the State's multi-million dollar counter-cross-claim, and its action against Third Party Defendant Rudeen & Associates--continued to an October 2008 trial, which resulted in a mistrial after 11 trial days.

With a re-trial scheduled for April 2010, on March 26, 2010, the Court issued a Memorandum Decision and Order in response to motions filed by Hobson that: a)

dismissed the State's claims against Rudeen; and b) effectively dismissed the State's counter-cross-claim against SE/Z (and by virtue of its pass-through nature, against Hobson). The effect of the Court's order was to leave only the affirmative claims of SE/Z and Hobson for trial.

On April 29, 2010, the parties informed the Court that they had settled the remainder of the causes of action for a payment by the State of \$225,000, reserving for the Court only the issues of the determination of prevailing party status and the award of costs and attorney's fees.

### III. AUTHORITY

"In a multiple-claim action, the trial court is vested with discretion to determine which party prevailed overall, and may apportion costs and fees, taking into account the disposition of all claims, counterclaims or other multiple issues." *Holmes v. Holmes*, 125 Idaho 784, 788, 874 P.2d 595 (Ct. App. 1994), *citing*, I.R.C.P. 54(d)(1)(B); *Int'l Engineering Co., Inc. v. Daum Indus., Inc.*, 102 Idaho 363, 366-67, 630 P.2d 155 (1981); *Jones v. Whiteley*, 112 Idaho 886, 889-90, 736 P.2d 1340 (Ct. App. 1987).

"In determining which party prevailed in an action where there are claims and counterclaims between opposing parties, the court determines who prevailed 'in the action.' That is, the prevailing party question is examined and determined from an overall view, not a claim-by-claim analysis." *Jorgensen v. Coppedge*, 148 Idaho 536, 224 P.3d 1125, 1127 (2010)<sup>1</sup>, *quoting Eighteen Mile Ranch, L.L.C. v. Nord Excavating & Paving, Inc.*, 141 Idaho 716, 719, 117 P.3d 130 (2005).

---

<sup>1</sup> *Jorgensen* was decided on January 27, 2010, and therefore no pinpoint Idaho Reporter citation is available.

Here, the State chose to consolidate into this one the separate action against the Individual Defendants, which it defended with the same counsel who both defended the Department of Public Works and prosecuted its cross-counter-claim. Unquestionably, the State could have maintained the separate action, and brought its motion for summary judgment to dismiss the Individual Defendants there. However, it did not, bringing the *Holmes* and *Eighteen Mile Ranch* authority into play.

The *Eighteen Mile Ranch* decision explains how a District Court should apply the "overall view" analysis in regard to a prevailing party determination. And while that Court determined that a defendant who defeats a plaintiff's claims can be determined to have prevailed, any such determination must be made within the context of the parties' relative success in the overall action. See, 141 Idaho at 719.

The decision in *Daisy Mfg. Co., Inc. v. Paintball Sports, Inc.*, 134 Idaho 259, 999 P.2d 914 (Ct. App. 2000), upon which the State relies, is readily distinguishable from the facts of this matter. Unlike here, *Daisy* involved only claims brought by a single plaintiff against a single defendant, and did not involve the multiple and competing causes of action and multiple parties that populate this action. Consequently, in determining the prevailing party status, the *Daisy* trial court did not engage in the kind of "overall view" analysis that cases like the one at bar require. Consequently, *Daisy* has no applicability to the instant matter, and neither does its "most favorable outcome" analysis.

The Court should note that the though the request for costs is ostensibly made in the name of the Individual Defendants, the pleading is signed by "State of Idaho Office of the Attorney General," and there is nothing in any of the pleadings that demonstrates that the Individual Defendants, or any one or more of them, paid even a dime of the

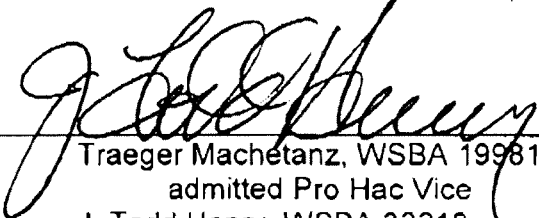
costs being requested. Therefore, the Court in its determination of any "prevailing party" status that would allow award of the requested costs, must view this request as one made by the State. As such, clearly the State did not achieve the "most favorable outcome that could possibly be achieved." Instead, it ended up being the only party that paid any money, and saw both its indemnity action against Rudeen and its multi-million dollar counter-cross-claim dismissed.

Here, as pointed out in their Joint Motion for Award of Costs and Attorney's Fees, when the parties' relative success in this action is viewed "overall," SE/Z and Hobson were the clearly prevailing parties in it. And, the costs and attorney's fees demonstrated to have been incurred by SE/Z and Hobson as a result of the State's actions overwhelmingly dwarf the \$1,012.80 in costs now requested by the State in its defense of the Individual Defendants.

Under the "overall view" analysis required of District Courts in matters involving multiple parties and multiple claims, the Court should weigh against the State's request for \$1,012.80 the relative success of SE/Z and Hobson in the totality of this action, including considering: a) that Hobson and SE/Z obtained a positive monetary recovery from the State; and b) that Hobson and SE/Z incurred hundreds of thousands of dollars in costs and attorney's fees to oppose the State's wrongful counter-cross-claim. With that disparity clearly in mind, the Court should make a determination that the State has failed to prevail in this matter, and deny its request for these costs.

Dated this 9th day of July, 2010

OLES MORRISON RINKER & BAKER, LLP

A handwritten signature in black ink, appearing to read "J. Todd Henry", is written over a horizontal line.

Traeger Machetanz, WSBA 19981,

admitted Pro Hac Vice

J. Todd Henry, WSBA 32219,

admitted Pro Hac Vice

Counsel for Plaintiff Hobson Fabricating Corp.

CERTIFICATE OF MAILING

I HERBY CERTIFY that on this 9<sup>th</sup> day of July, 2010 a true and correct copy of the above  
and foregoing document was served as follows:

Phillip S. Oberrecht  
HALL FARLEY OBERRECHT & BLANTON, PA  
702 West Idaho, Suite 700  
PO Box 1271  
Boise, ID 83701

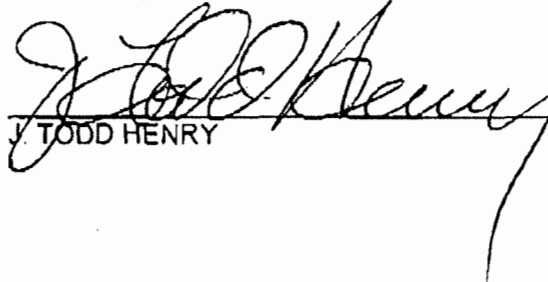
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Frederick J. Hahn, III  
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☐ Hand Delivery  
☐ Federal Express or Other  
Overnight Courier  
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J. TODD HENRY

4840-0031-8982, v. 1

PLAINTIFF'S OPPOSITION TO THE INDIVIDUAL DEFENDANTS' MEMORANDUM OF COSTS

ORIGINAL

LAWRENCE G. WASDEN  
ATTORNEY GENERAL  
Steven L. Olsen, ISB No. 3586  
Chief of Civil Litigation

NO. \_\_\_\_\_  
AM. \_\_\_\_\_ 437

Phillip S. Oberrecht  
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ISB #1904;psa@hallfarley.com  
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ISB #6581;cdc@hallfarley.com  
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Telephone: (208) 395-8500  
Facsimile: (208) 395-8585  
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J. DAVID NATHAN, Clerk  
By E. HOLMES  
2007

Attorneys for Defendants State of Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HOBSON FABRICATING CORP., an Idaho corporation,	)	
	)	Case No. CV OC 0508037
	)	
Plaintiff,	)	
	)	
v.	)	<b>THE STATE OF IDAHO'S MOTION</b>
	)	<b>TO DISALLOW SE/Z</b>
SE/Z CONSTRUCTION, LLC, an Idaho limited liability company; and STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,	)	<b>CONSTRUCTION, LLC'S AND</b>
	)	<b>HOBSON FABRICATING CORP.'S</b>
	)	<b>JOINT MOTION FOR AWARD OF</b>
	)	<b>COSTS AND FEES</b>
	)	
Defendants.	)	
	)	
STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,	)	
	)	
	)	
Counter-Claimant,	)	
	)	
v.	)	
	)	
HOBSON FABRICATING CORP., an Idaho corporation,	)	
	)	
	)	
Counter-Defendant.	)	

SE/Z CONSTRUCTION, LLC, an Idaho limited  
liability company, )

Cross-Claimant, )

v. )

STATE OF IDAHO, acting by and through its  
Department of Administration, Division of  
Public Works, )

Cross-Defendant. )

STATE OF IDAHO, acting by and through its  
Department of Administration, Division of  
Public Works, )

Counter-Cross-Claimant, )

v. )

SE/Z CONSTRUCTION, LLC, an Idaho limited  
liability company, )

Counter-Cross-Defendant. )

STATE OF IDAHO, acting by and through its  
Department of Administration, Division of  
Public Works )

Third-Party Plaintiff, )

v. )

RUDEEN & ASSOCIATES, A  
PROFESSIONAL COMPANY, an Idaho  
limited liability company, )

Third-Party Defendant. )

COMES NOW Defendant State of Idaho acting by and through the Department of  
Administration, Division of Public Works (the "State") and pursuant to Idaho Rule of Civil  
Procedure 54 submits this Motion to Disallow SE/Z Construction, LLC's and Hobson

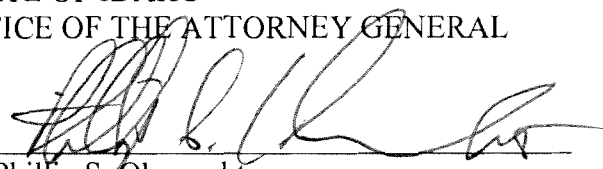


Fabricating Corp.'s Joint Motion for Award of Costs and Fees. This Motion is supported by the Memorandum in Support and the Affidavit of Counsel in Support.

DATED this 9<sup>th</sup> day of July, 2010.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By

  
Phillip S. Oberrecht  
Special Deputy Attorney General  
Of the Firm Hall, Farley, Oberrecht  
& Blanton, P.A.  
Attorneys for Defendant State of Idaho,

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9<sup>th</sup> day of July, 2010, I caused to be served a true copy of the foregoing, by the method indicated below, and addressed to each of the following:

David M. Penney  
Cosho Humphrey, LLP  
800 Park Blvd., Ste. 790  
Boise, ID 83712  
Fax No.: (208) 338-3290

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& BAILEY, Chtd.  
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\_\_\_\_\_  
Phillip S. Oberrecht

LAWRENCE G. WASDEN  
ATTORNEY GENERAL  
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Chief of Civil Litigation

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Facsimile: (208) 395-8585  
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446  
JAN 11 2010  
CLERK OF DISTRICT COURT  
BOISE, IDAHO

Attorneys for Defendants State of Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HOBSON FABRICATING CORP., an Idaho corporation,	)	Case No. CV OC 0508037
	)	
Plaintiff,	)	
	)	
v.	)	<b>AFFIDAVIT OF COUNSEL IN</b>
	)	<b>SUPPORT OF THE STATE OF</b>
SE/Z CONSTRUCTION, LLC, an Idaho limited liability company; and STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,	)	<b>IDAHO'S MEMORANDUM IN</b>
	)	<b>SUPPORT OF MOTION TO</b>
	)	<b>DISALLOW SE/Z CONSTRUCTION,</b>
	)	<b>LLC'S AND HOBSON FABRICATING</b>
Defendants.	)	<b>CORP.'S JOINT MOTION FOR</b>
	)	<b>AWARD OF COSTS AND FEES</b>
	)	

STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,

Counter-Claimant,

v.

HOBSON FABRICATING CORP., an Idaho corporation,

Counter-Defendant.	)
SE/Z CONSTRUCTION, LLC, an Idaho limited liability company,	)
	)
Cross-Claimant,	)
v.	)
	)
STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,	)
	)
Cross-Defendant.	)
	)
STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works,	)
	)
Counter-Cross-Claimant,	)
v.	)
	)
SE/Z CONSTRUCTION, LLC, an Idaho limited liability company,	)
	)
Counter-Cross-Defendant.	)
	)
STATE OF IDAHO, acting by and through its Department of Administration, Division of Public Works	)
	)
Third-Party Plaintiff,	)
v.	)
	)
RUDEEN & ASSOCIATES, A PROFESSIONAL COMPANY, an Idaho limited liability company,	)
	)
Third-Party Defendant.	)
	)
STATE OF IDAHO	)
	) ss.
County of Ada	)

Phillip S. Oberrecht, having been first duly sworn upon oath, deposes and says as follows:

1). That your Affiant is an attorney duly licensed to practice law within the state of Idaho and is a member of the law firm of Hall, Farley, Oberrecht & Blanton, P.A., attorneys for Defendant State of Idaho in the above-entitled action. The information contained herein is of your Affiant's own personal knowledge.

2). That attached hereto as Exhibit A is a true and correct copy of the Non Conformance Resolution Reports prepared by WGI and YMC on the rebuild of the Project (State Trial Exhibit 5803).

3). That attached hereto as Exhibit B is a true and correct copy of Hobson's Trial Exhibit 1182.

4). That attached hereto as Exhibit C is a true and correct copy of David Kopmeyer's deposition transcript.

5). That attached hereto as Exhibit D is a true and correct copy of Gerald Williams' deposition transcript.

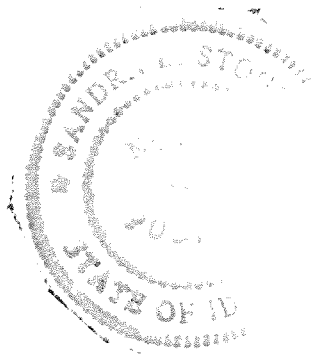
6). That attached hereto as Exhibit E is a true and correct copy of the March 24, 2010 hearing transcript.

FURTHER YOUR AFFIANT SAYETH NOT.



Phillip S. Oberrecht

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of July, 2010.



Sandra Stogdill  
Notary Public for Idaho  
Residing at DONE Idaho  
My Commission Expires 01/27/15

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 9<sup>th</sup> day of July, 2010, I caused to be served a true copy of the foregoing **AFFIDAVIT OF COUNSEL IN SUPPORT OF THE STATE OF IDAHO'S MEMORANDUM IN SUPPORT OF MOTION TO DISALLOW SE/Z CONSTRUCTION, LLC'S AND HOBSON FABRICATING CORP.'S JOINT MOTION FOR AWARD OF COSTS AND FEES**, by the method indicated below, and addressed to each of the following:

David M. Penney  
Cosho Humphrey, LLP  
800 Park Blvd., Ste. 790  
Boise, ID 83712  
Fax No.: (208) 338-3290

- ☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

Frederick J. Hahn, III  
Holden, Kidwell, Hahn & Crapo, P.L.L.C.  
1000 Riverwalk Drive, Suite 200  
P. O. Box 50130  
Idaho Falls, ID 83405  
Fax No. (208) 523-9518

- ☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

Robert A. Anderson  
Anderson, Julian & Hull, LLP  
250 S. 5<sup>th</sup> Street, Suite 700  
P. O. Box 7426  
Boise, ID 83707-7426  
Fax No. 344-5510

- ☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

Traeger Machetanz  
J. Todd Henry  
Oles Morrison Rinker & Baker, LLP  
701 Pike Street, Ste. 1700  
Seattle, WA 98101-3930  
Fax No.: (206) 682-6234

- ☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

  
Phillip S. Oberrecht

# **EXHIBIT A**

01030



State of Idaho  
DIVISION OF PUBLIC WORKS  
**NONCONFORMANCE  
RESOLUTION REPORT  
(N.C.R.R.)**

DPW PROJECT NO  
06-350

CODE	AMOUNT
------	--------

CC	
----	--

\$258

DATE	
------	--

9/17/07

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

N.C.R.R.#

01

Date:

August 8,  
2007

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-011(E-1) NCR-1006	Remove electrical outlet that is currently installed behind the non-potable water backflow preventer devices in Gas Cylinder/Equipment Storage Room #109.	
	Provide new duplex outlet in existing junction box on same wall (approximately 14" above finished floor) that does not conflict with the non-potable water backflow preventer devices.	
	YMC Proposal Request # 10	\$ 230.
	Washington Group Markup (12%)	28.
	Total Amount this Change	258.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 0.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 1,896,038.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 258.
	Revised Contract Amount	\$ 1,896,296.

RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2

Date

8/31/07

PERFORMED BY YMC INC.

Project #21426

Date

8/31/07

DPW FIELD REPRESENTATIVE

Date

9/11/07

DPW PROJECT MANAGER

Date

9/11/07

APPROVED BY ADMINISTRATOR

Date

9/17/07

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

FILE

01031

DPW36459

**JUSTIFICATION FOR CHANGE**

**DPW Project No.**  
06-350

**N.C.R.R. No. 01**

Relocation of the duplex outlet is required to comply with "The International Building Code, 2000"

Attachments: RFI-011, NCR-1006, Photograph P-7b (from file RFI-11a)

**01032**

### Nonconformance Report

NCR No. 1006

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	RFI 011 (E-1)	Date:	6/21/07
Specification Reference:		Drawing Reference:	

#### NONCONFORMANCE DESCRIPTION

**Requirement:**

Separation of electrical device installation in close proximity of water piping/valving is required.

**Deficiency:**

A duplex outlet is behind the backflow preventers in Room #109. Suggest removing the outlet, pulling out wiring and installing a blank cover plate. A duplex outlet is available in this room on the opposite wall.

Attachments: YMC PR-010 dated 7/31/07.

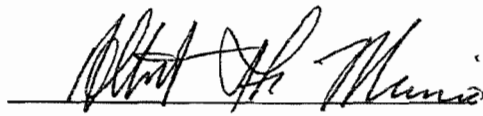
Photo. ID#: (if applicable)	P-7-a,b,c	Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation

#### RECOMMENDED DISPOSITION

<input checked="" type="checkbox"/>	REWORK		SCRAP		USE-AS-IS		REPAIR		CONDITIONAL RELEASE *
-------------------------------------	--------	--	-------	--	-----------	--	--------	--	--------------------------

Remove outlet and provide blank cover plate on outlet behind backflow preventers.  
Rework and extend wiring to existing box on same wall beyond backflow preventers.  
Install new duplex outlet and cover plate in existing box.

Wash. Gr. Representative:



Date: 8/31/2007

#### DISPOSITION APPROVAL

**Nonconformance Report**  
**NCR No. 1006****CLOSURE OF NCR**

Corrective Actions To Be Taken To Complete NCR Close-Out:

Pull wires out of box, provide blank cover plate over box, and relocate duplex outlet to junction box 12-14" above finish floor on same wall where it does not interfere with water valving devices.

YMC Representative:

*Steve Day*

Date:

*8/28/07***\*CONDITIONAL RELEASE****(IF applicable)**

Justification:

N/A

If Conditional Release is applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**01034**



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

July 31, 2007

**Washington Group International**

720 Park Blvd.

Boise, ID 83729

208.386.5262

208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-010 – Relocate Duplex Outlet in Conflict with Back Flow Devices  
As Noted in NCR 1006**

**Remove or blank off duplex outlet currently located behind back flow devices in Room #109, rework wiring, and provide outlet in existing box on same wall (+/-12" AFF).**

**All labor, miscellaneous materials, supervision and management included.**

**Total Price \$230.00**

**Exclusions:**

**Any work not mentioned above.**

**Work performed outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days





456-01 (S)

## Request for Information

ATTENTION

Al Munio

RFI No.: 011 (E-1)

Please disposition the following problems:

Engineering Discipline:	<u>Electrical</u>	Date Issued:	<u>5/25/07</u>
Contract No.:	<u>WGI 28431-2/YMC 21246</u>	Date Closed:	
Project Name:	<u>Bio Lab #3</u>	Response Needed Date:	<u>6/25/07</u>
Location:	<u>2220 Penitentiary Road, Boise ID</u>	Key Drawing/Spec:	<u>Sheet M2.2</u>

PROBLEM: Possible problem of water in room with electrical panels.

TITLE: Water Piping in Electrical Room

REFERENCES: Sheet M2.2

LOCATION: Room #101

DESCRIPTION: Electrical Room

While reviewing the material installation in Room #101 (building label) – Room #109 (plan label on Sheet A2.01), it appears there may be a conflict of water piping in the room in close proximity to the electrical panels.

Is there any additional or protective action required to isolate the water piping from the electrical panels?

Should the door into this room be rated (no visible tag exists on door or on frame)?

ORIGINATOR: Steve Dean, YMC

DATE:

RESOLUTION:	Design Change:	Yes	No	Design Change Review by:	Date:
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Wash. Gr. Representative/Date:

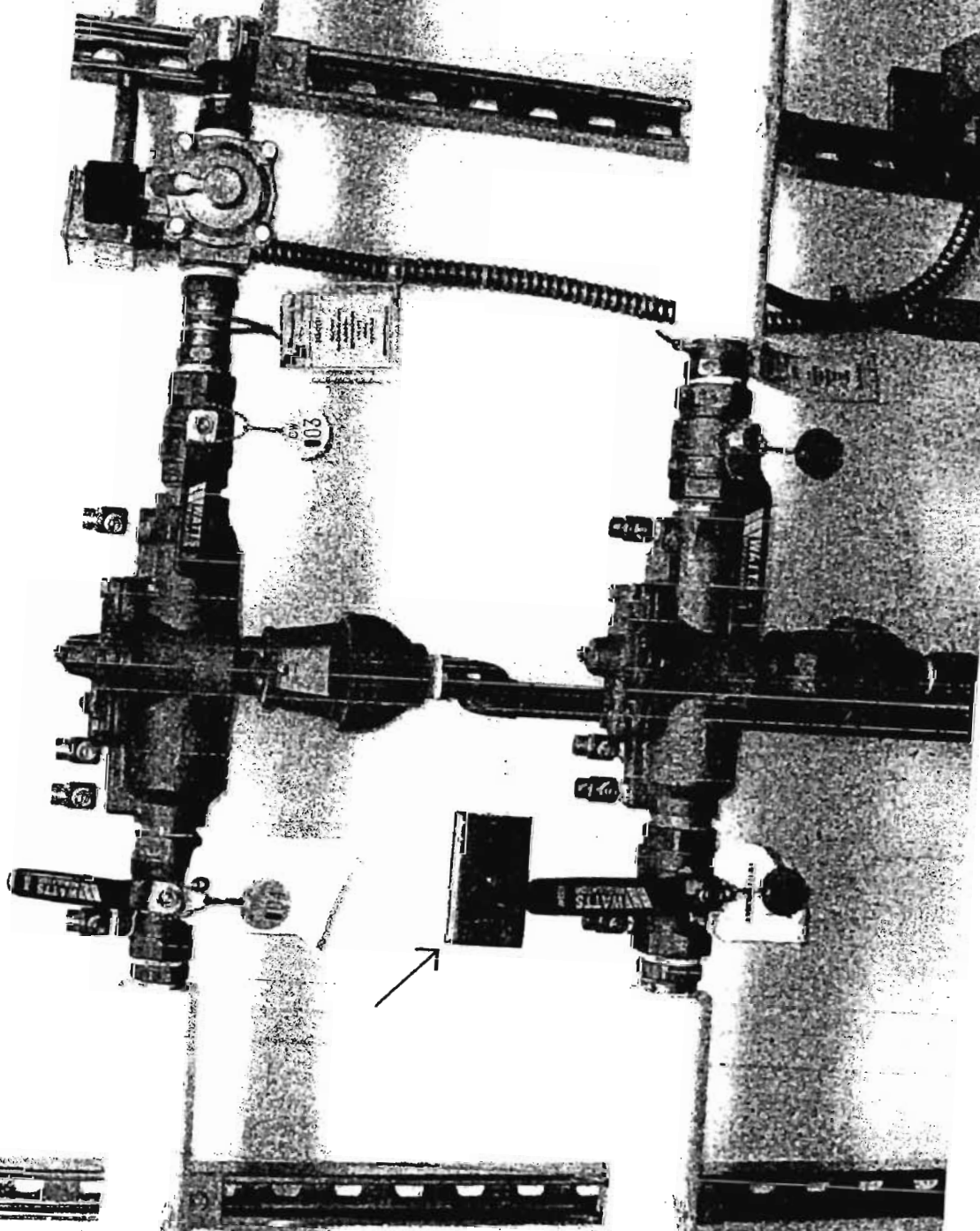
YMC Representative/Date:

*Steve Dean*

*8/20/07*

P-7-b

COLD NON-POTABLE W



<b>RECEIVED</b> <b>AUG 28 2007</b> <b>PUBLIC WORKS</b> <b>State of Idaho</b> <b>DIVISION OF PUBLIC WORKS</b> <b>NONCONFORMANCE</b> <b>RESOLUTION REPORT</b> <b>(N.C.R.R.)</b>		DPW PROJECT N <b>06-350</b>	
		CODE CC	AMOUNT <b>\$82,701</b>
To (Project Manager) <b>Washington Group International</b>		DATE <b>9/17/07</b>	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements</b> <b>2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R.R.# <b>02</b>	Date: <b>August 8, 2007</b>

**FILE**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable) NCR-1029	Description of Change	Change in Contract Amount
	<p>Remove existing HEPA filter housings F-1 and F-2 on Roof # 2 and associated ductwork connections. Salvage 18" diameter zero leakage dampers on inlet and outlet of housings for reuse. Furnish and install new 3-cell bag-in/bag-out HEPA filter housings F-1 and F-2 complete with scan test sections, drain connections, inlet DOP dispersion monitoring ports, decontamination ports with isolation valves, and transitions to 18" diameter flanged duct connections on inlets and outlets to mate with salvaged zero leakage dampers. Furnish and install new biological grade factory tested and certified HEPA filters. Provide in-place testing of filters by factory representative. Modify and patch curbs and roof to match new housings. Expand heat trace and insulation to suit new housings. Review and confirm structural adequacy of existing roof to accept new housings.</p> <p>YMC Proposal Request # 001R</p> <p>Relocate sound attenuator SA-2 to suitable location downstream of housing F-1, including modification of ductwork and supports to accept. Furnish and install new sound attenuator SA-3, identical to SA-2, at a suitable location downstream of housing F-2, including modification of ductwork and supports to accept.</p> <p>YMC Proposal Request # 001R</p>	<p>\$ 68,901.</p> <p>\$ 4,948.</p>

**01038**



Total of Proposal Request # 001R	\$ 7,000.
Washington Group Markup (12%)	\$ 8,861.
Total Amount this Change	\$ 82,701.
Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 258.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 1,896,296.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 82,701.
Revised Contract Amount	\$ 1,978,997.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 8/23/07
PERFORMED BY YMC INC. Project #21426	Date 8/28/07
DPW FIELD REPRESENTATIVE	Date 8/29/07
DPW PROJECT MANAGER	Date 9/11/07
APPROVED BY ADMINISTRATOR	Date 9/17/07

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

## JUSTIFICATION FOR CHANGE

DPW Project No.

06-350

N.C.R.R. No. 02

The HEPA filters specified and installed are type "A" HEPA filters manufactured primarily for non-critical industrial supply air applications such as clean rooms, hospitals, and food manufacturing. Type "E" HEPA filters are designed for hazardous biological applications and are the appropriate HEPA filter type for this BSL-3 application. See attached page 21 from Flanders white paper for a summary of HEPA filter types and their application. However, the change to type "E" filters creates a capacity problem. Whereas type "A" filters have a recommended capacity of 2,000 CFM per cell, type "E" filters have a recommended capacity of 1,000 CFM per cell. As the result, 3-cell housings are needed for this BSL-3 project in lieu of the 2-cell housings installed. Further, CDC manuals for HEPA filter housings recommend the ability to test HEPA filters both individually and collectively as a system (see highlighted reprints from CDC BMBL 4<sup>th</sup> edition and CDC handbook "Primary Containment for Biohazards" attached). The ability to individually test the filters requires a scan test section as part of the housing, and downstream location of the fluid-seal gasket mechanism for the filter. The existing units lack both of those attributes.

Sound attenuator SA-2 was located upstream of the HEPA filter housings. In the event of a contamination event that is the basis for installation of the HEPA filters, SA-2 would become contaminated. SA-2 is not designed to allow decontamination, thus would have to be removed and disposed of as contaminated waste, which would entail great expense and extended shutdown of the facility for replacement. Relocation of SA-2 downstream of the HEPA housing F-1 will eliminate that risk potential. Because there are redundant HEPA housings (F-1 and F-2) it will be necessary to install an additional sound attenuator (SA-3) downstream of HEPA housing F-2.

Attachments: NCR-1029, Photographs M-4rr, M-4pp, M-4qq, Washington Group ltr to DPW dated July 23, 2007, YMC PR-001R, Page 21 from Flanders white paper "HEPA Filters and Filter Testing", excerpts from CDC BMBL 4<sup>th</sup> edition and CDC "Primary Containment for Biohazards", Structural evaluation of existing roof structure by Leavitt Engineers, Flanders brochure on existing HEPA filters, Flanders brochure on Biological Grade HEPA filters, data sheets for existing and proposed new HEPA housings, E-Mail memo CDC to Al Munio.

01040

### Nonconformance Report

NCR No. 1029

Location:	BSL #3 Laboratory	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	8/2/07
Specification Reference:	15800-2.15 and 3.8	Drawing Reference:	M5.2
<b>NONCONFORMANCE DESCRIPTION</b>			
<p><b>Requirement:</b></p> <p>HEPA filter housings F-1 and F-2 on Roof #2 have been provided as specified.</p>			
<p><b>Deficiency:</b></p> <p>Type "A" filter classification was provided and it would appear a Type "E" HEPA filter should have been utilized as they are designed for hazardous biological applications such as the BSL-3 Facility per CDC Requirements.</p>			
<p>Attachments: Washington Group Letter Dated July 24, 2007 and referenced attachments; YMC PR-001 dated 8/7/07 and photographs M-4-rr, M-4-pp, M-4-qq; structural evaluation for roofing system by Leavitt Engineers.</p>			
Photo. ID#: (if applicable)	M-4-rr, M-4-pp, M-4-qq	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	Subcontractor Deviation	Design Deviation      X
<b>RECOMMENDED DISPOSITION</b>			
X	REWORK	SCRAP	USE-AS-IS
			REPAIR
			CONDITIONAL RELEASE *
<p>Replace existing housings F-1 and F-2 with new 3 cell bag-in/bag-out housings complete with scan test sections, valved decontamination ports, drain connection, DOP dispersion monitor port, differential pressure gauge w/isolation valves, and flanged transitions to 18" dia. on inlet and outlet. Reuse existing 18" dia zero leakage dampers on inlet and outlet of housings F-1 and F-2.</p>			
<p>Furnish and install new factory scan tested biological grade HEPA filters in housings F-1 and F-2, including in-place scan testing after installation.</p>			
<p>Modify curbs and roofing to match new housing sF-1 and F-2.</p>			



FORM 457-01 (MM)

Also relocate sound attenuator SA-2 to downstream side of housing F-1 and furnish and install new sound attenuator SA-3 (identical to SA-2) downstream of housing F-2.

Provide complete dimensional and performance data for approval on all new components.

Wash. Gr. Representative:

*[Signature]*

Date:

*8/20/07*

DISPOSITION APPROVAL



**Nonconformance Report**  
**NCR No. 1029**

**CLOSURE OF NCR**

Corrective Actions To Be Taken to Complete NCR Close-Out:

Replace filter racks F-1 and F-2 as directed in attached correspondence.

YMC Representative:

*Steve Dean*

Date:

8/8/07

**\*CONDITIONAL RELEASE**

**(IF applicable)**

Justification:

N/A

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_



2975 LANARK ST.  
MERIDIAN, ID 83642  
PHONE (208) 888-1727  
FAX (208) 895-9699

August 7, 2007

**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax  
**Attention: Mr. Al Munio**

Re: Project: State of Idaho – Bio Safety Level 3 Lab

PR-001R – Replace (2) Filter Housings on Roof and Add (1) Sound Attenuator.  
As requested below is our results and findings for the replacement of the (2) filtering systems on the roof. We understand that the installed units are not in true compliance and require replacement. And the single sound attenuator (SA-2) has been determined to be relocated with another matching unit. We will place both in the vertical rise up the East wall as discussed.

Roof 2

(2) New Flanders Model# BFS1-1H3W-GGF-304-D3 Bag-in, Bag-out Filter Housings  
Silicone Gaskets, Scan Section, Static Pressure Taps, Filter Gauge, DOP sample Port,  
Drains, Biological grade 99.97% EFF, Bag-out Bags with Safety Straps, 3" Decon Ports  
with Butterfly Valves, Spare Filters and Banding Kit for Decon Bagging procedure.

(1) New Roof Curb and Modification of (1) Existing Roof Curb

Roof Patch and Repair as Required

Hoisting and Placement of Housings

Modifications to S.S. Exhaust Duct

Expanded Insulation for Larger Housings

Factory Testing and In-place Factory Testing by Flanders Representative

Certified Welding

Structural Engineering to Review Roof Capacity

All Labor, Miscellaneous Materials, Supervision and Management

**Total Price \$68,901.00**

Roof 2

(1) New Sound Attenuator (SA-3) installed next to existing on East Wall rise to Fans

**Total Price \$4,948.00**

Exclusions:

Commissioning (we will assist)

Structural Modifications if Needed

Respectfully,

Steve Dean, YMC Inc.  
Project Manager

RECEIVED  
 2007  
 PUBLIC WORKS

State of Idaho  
 DIVISION OF PUBLIC WORKS  
**NONCONFORMANCE  
 RESOLUTION REPORT  
 (N.C.R.R.)**

DPW PROJECT N  
 06-350

CODE	AMOUNT
CC	\$21,467
DATE	9/17/07

FILE

To (Project Manager)  
**Washington Group International**

Name and Location of Project  
**Biosafety Level 3 Laboratory Improvements  
 2220 Old Penitentiary Road, Boise, Idaho**

N.C.R.R.# Date:  
 03 August 28,  
 2007

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI- 001R2(AE-1) NCR-1032R2	Provide permanent access ladder and handrail as required by OSHA #29CFR1910.22, and conforming to OSHA #29CFR-1910.23, and OSHA #29CFR- 1910.27	
	YMC Proposal Request # 002R – Handrail Ladder	\$ 13,034. 6,133.
	Total Amount YMC PR002R	19,167.
	Washington Group Markup (12%)	\$ 2,300.
	Total Amount this Change	\$ 21,467.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 82,959.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 1,978,997.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 21,467.
	Revised Contract Amount	\$ 2,000,464.

**RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL**  
 Project #28431-2

Date  
 08/28/2007

**PERFORMED BY YMC INC.**  
 Project #21426

Date  
 8/28/07

**DPW FIELD REPRESENTATIVE**

Date  
 8/29/07

**DPW PROJECT MANAGER**

Date  
 9/11/07

**APPROVED BY ADMINISTRATOR**

Date  
 9/17/07

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01045

**JUSTIFICATION FOR CHANGE**

**DPW Project No.**

06-350

**N.C.R.R. No. 03**

OSHA #29CFR-1910.22 avers that standard applies to all permanent places of employment. OSHA #29CFR-1910-23 provides specific criteria applicable to handrail applications and their specific fabrication requirements. OSHA #29CFR-1910 provides the specific criteria applicable to permanent access ladders and their specific fabrication requirements. See attached copies of above OSHA standards with specific applicable subsections highlighted for easy reference. Also see attached photographs L&R-1, L&R-2, and L&R-3 that depict current conditions that do not meet above referenced OSHA requirements.

Attachments: YMC RFI-001 dated 5/30/07; YMC PR-002R dated 8/8/07; highlighted copies of OSHA standards #29CFR-1910.22, 29CFR-1910.23, 29CFR-1910.27, and Photographs L&R-1, L&R-2 and L&R-3.



**Nonconformance Report**  
**NCR No. 1032R2**

Location:	BSL #3 Laboratory	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	8/8/07
Specification Reference:	N/A	Drawing Reference:	N/A
<b>NONCONFORMANCE DESCRIPTION</b>			
Requirement: Access Ladder and Safety Rail should have been provided around Penthouse roof per OSHA regulations to allow maintenance of units on roof.			
Deficiency: No access ladder or Safety rail was required on the documents.			
Attachments: YMC RFI-001 dated 5/30/07; YMC PR-002R dated 8/8/07; highlighted copies of OSHA standards#29CFR-1910.22, 29CFR-1910.23, 29CFR-1910.27, and Photographs L&R-1, L&R-2 and L&R-1.			
Photo. ID#: (if applicable)	L&R-1, L&R-2 and L&R-1	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	Subcontractor Deviation	Design Deviation
			X
<b>RECOMMENDED DISPOSITION</b>			
X	REWORK	SCRAP	USE-AS-IS
			REPAIR
			CONDITIONAL RELEASE *
Provide permanent access ladder and handrail as required by OSHA #29CFR1910.22, and conforming to OSHA #29CFR-1910.23, and OSHA #29CFR-1910.27			
Wash. Gr. Representative: <u><i>Attent J. Minin</i></u>		Date: <u>08/28/2007</u>	
<b>DISPOSITION APPROVAL</b>			

**Nonconformance Report**  
**NCR No. 1032R2**

CLOSURE OF NCR	
Corrective Actions To Be Taken to Complete NCR Close-Out:	
Provide access ladder and safety railing as directed and discussed in the attachments per Proposal Request #002.	
YMC Representative:	Date: 8/28/07
<b>*CONDITIONAL RELEASE</b> (IF applicable)	
Justification:	
N/A	
Approval of Conditional Release:	
Wash. Gr. Representative: _____ Date: _____	
YMC Representative: _____ Date: _____	



456-01 (S)

## Request for Information

ATTENTION

Al Munio

Please disposition the following problems:

RFI No.: 001R2 (A/E-1)

Engineering Discipline:	Architectural	Date Issued:	5/30/07
Contract No.:	WGI 28431-2/YMC 21246	Date Closed:	8/28/07
Project Name:	Bio Lab #3	Response Needed Date:	6/30/07
Location:	2220 Penitentiary Road, Boise ID	Key Drawing/Spec:	N/A
PROBLEM: Access to roof top #3 (Penthouse Roof)			
TITLE:	N/A		
REFERENCES:	N/A		
LOCATION:	Roof #3		
DESCRIPTION:	Future Maintenance Ladder		

Currently, access to Roof #3 is by extension ladder. It appears there are items on this roof that will require regular maintenance. Would you like to have a permanent roof access ladder installed? If so, please let us know what you would like to see.

ORIGINATOR: Steve Dean, YMC

DATE:

RESOLUTION:	Design Change:	Yes	X	No	Design Change Review by:	Date:
					Al Munio	6/20/07

Provide cost to furnish and install a permanent fixed access metal ladder similar to Global Industrial Equipment model WG703632GY. Ladder shall be walk through design with handrails, and shall conform to OSHA #29CFR-1910.22, 29CFR-1910.23, and 29CFR-1910.27. If fabricated from ferrous metals, ladder shall be all welded construction and shall be painted for weather protection. Color shall be gray. Equip walk through handrails with a self-closing gate conforming to OSHA standards.

In concert with the access ladder, also provide cost to furnish and install a safety-railing system around the perimeter of the penthouse roof to provide fall protection for personnel performing work on the exhaust fan systems. Safety rail system shall conform to OSHA #29CFR-1910.23. If fabricated from ferrous metals, safety-railing system shall welded construction and shall be painted for weather protection. Color shall be gray.

Wash. Gr. Representative/Date:	YMC Representative/Date:
<i>[Signature]</i> 8/28/07	<i>[Signature]</i> 8/28/07

01049



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

August 8, 2007

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

PR-002 – Fabricate and Install New Handrail /Access Ladder on Penthouse Roof  
As requested below is our results and findings for the installation of the safety hand rail surround with access ladder to the penthouse roof.

Penthouse Roof

Fabricate / Install the safety rail at perimeter of Penthouse roof as follows:  
New Safety Handrail Surround for Penthouse

Total Price \$ 13,034.00

Fabricate / Install the Access Ladder up Penthouse wall as follows:  
New Access Ladder for Penthouse access

Total Price \$ 6,133.00

Inclusions for both items above:

Complete Installation  
Powder Coat Materials  
Hoisting as Required to Safely Install  
Certified Welding  
Structural Engineering  
All Labor, Miscellaneous Materials, Supervision and Management

Exclusions:

Structural Modifications if Needed  
Any Work Not Mentioned Above

Respectfully,

Bill Graham

Valid for 30 Days

**State of Idaho**  
**DIVISION OF PUBLIC WORKS**  
**NONCONFORMANCE**  
**RESOLUTION REPORT**  
**(N.C.R.R.)**

DPW PROJECT N  
06-350

CODE	AMOUNT
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CC	
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\$16,101

DATE	
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9/17/07

To (Project Manager)

**Washington Group International**

Name and Location of Project

**Biosafety Level 3 Laboratory Improvements**  
**2220 Old Penitentiary Road, Boise, Idaho**

N.C.R.R.#

04

Date:

August 29,  
2007

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR  
and/or CCD #  
(if applicable)

NCR-1030R2

Description of Change

Change in  
Contract Amount

- 1) Reconfigure the drain piping from the floor funnel drain D-2 beneath the autoclave in Clinical Sample Storage Room# 107 to connect into the contaminated waste system. Reconnect the vent to the discharge side of the floor funnel drain D-2 trap. Cap and abandon in place, the existing connection to the domestic sewer.
- 2) Reroute the vent from the floor funnel drain D-2 in Corridor Room# 120 to connect into the domestic sewage vent system in the area of the toilet rooms near the intersection of Corridors Rooms# 121 and 122. Remove the existing vent connection from floor funnel drain D-2 to the contaminated vent system near sink P1-4 in Corridor Room# 120 and cap at the connection point.
- 3) Reroute vent from floor funnel drain D-2 in Gas Cylinder/Equipment Storage Room# 109 to connect into the domestic sewage vent system at the Women's Toilet Room due west at columns A-7. Patch and repair walls as required. Disconnect the existing connection of the vent from floor funnel drain D-2 into the contaminated vent system and cap the connection point.

FILE

01051

1) YMC Proposal Request # PR-24R	\$ 3,240.
2) YMC Proposal Request # PR-23	3,934.
3) YMC Proposal Request # PR-25	<u>7,202.</u>
Sum Total, YMC PR-023, PR-024R, PR-025	14,376.
Washington Group Markup (12%)	\$ <u>1,725.</u>
Total Amount this Change	\$ 16,101.
Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 104,426.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,000,464.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 16,101.
Revised Contract Amount	\$ 2,016,565.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 08/30/07
PERFORMED BY YMC INC. Project #21426	Date 8/31/07
DPW FIELD REPRESENTATIVE	Date 9/04/07
DPW PROJECT MANAGER	Date 9/11/07
APPROVED BY ADMINISTRATOR	Date 9/17/07

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01052

## JUSTIFICATION FOR CHANGE

DPW Project No.

06-350

N.C.R.R. No. 04

The cross connections described below between the domestic sewage and vent systems and the contaminated sewage and vent systems are violations of the International Plumbing Code (2000) and must be remedied to conform to the Code. The piping revisions described above provide the required segregations between the domestic and the contaminated sewage and vent systems in accordance with Code requirements. They also ensure that drains that are potentially contaminated are located only in secure areas, and drains in clean areas do not create contamination potential.

- 1) The existing configuration of floor funnel drain D-2 in Clinical Sample Storage Room# 107 is located in a potentially contaminated area, thus allows contaminated waste from the lab area to bypass the contaminated waste storage tank and discharge directly into the domestic sewer system. Further, the drain is vented into the contaminated waste vent system, which also allows contaminants to potentially bypass the storage tank and discharge directly into the domestic system. The modifications remedy the cross connection and ensure containment of possible contaminants.
- 2) The floor funnel drain D-2 located in Corridor Room# 120 is located in a "clean" area and is connected directly to the domestic sewer system, which is correct. However, the drain is vented into the contaminated vent system, which allows contaminants to potentially discharge directly into the domestic sewage system. The modifications remedy the cross connection and convert the drain to a totally domestic system, which is correct for Corridor Room# 120, a "clean" area.
- 3) The floor funnel drain D-2 in Gas Cylinder/Equipment Storage Room# 109 is located in a "clean" area and is connected directly to the domestic sewer system, which is correct. However, the drain is vented into the contaminated vent system, which allows contaminants to potentially discharge directly into the domestic sewage system. The modifications remedy the cross connection and convert the drain to a totally domestic system, which is correct for Gas Cylinder/Equipment Storage Room# 109, a "clean" area.

Attachments: NCR No 1030R2 dated 8/16/07, YMC PR-023, PR-024R, and PR-025, all dated 8/28/07

01053

### Nonconformance Report

NCR No. 1030R2

Location:	BSL #3 Laboratory	Originator:	Steve Dean
Reference (i.e. RFI/CCD):	N/A	Date:	8/16/07
Specification Reference:	N/A	Drawing Reference:	Sht. M2.1 Sht. M2.2
<b>NONCONFORMANCE DESCRIPTION</b>			
<p>Requirement:</p> <p>Drain and vent lines must match (if drain line connects to domestic side of sewer system, vent line must connect domestic side vent system AND if drain line connects to decontamination tank side of sewer system, then vent line must connect to vent through F-3 HEPA on roof) to avoid cross contamination of systems.</p>			
<p>Deficiency:</p> <ol style="list-style-type: none"> <li>1) The drain line from the floor drain at the Autoclave in Clinical Sample Room #107 connects to domestic side of sewer while vent connects to F-3 HEPA on roof.</li> <li>2) The drain line from floor sink in Corridor Room #120 connects to domestic side of sewer while vent connects to F-3 HEPA on roof.</li> <li>3) The drain from floor drain in Gas Cylinder/Equipment Storage Room #109 connects to domestic side of sewer while vent connects to F-3 HEPA on roof.</li> </ol>			
Attachments: None.			
Photo. ID#: (if applicable)	None	Video ID#: (if applicable)	None
Cause:	Construction Deviation	Subcontractor Deviation	Design Deviation    X
<b>RECOMMENDED DISPOSITION</b>			
<b>X</b>	<b>REWORK</b>	<b>SCRAP</b>	<b>USE-AS-IS</b>
		<b>REPAIR</b>	<b>CONDITIONAL RELEASE *</b>
<ol style="list-style-type: none"> <li>1) Reconfigure the drain piping from the floor funnel drain D-2 beneath the autoclave in Clinical Sample Storage Room# 107 to connect into the contaminated waste system. Reconnect the vent to the discharge side of the floor funnel drain D-2 trap. Cap and abandon in place, the existing connection to the domestic sewer.</li> <li>2) Reroute the vent from the floor funnel drain D-2 in Corridor Room# 120 to connect into the domestic sewage vent system in the area of the toilet rooms near the intersection of Corridors Rooms# 121 and 122. Remove the existing vent connection from floor funnel drain D-2 to the contaminated vent system near sink P1-4 in Corridor Room# 120 and cap at the connection point.</li> </ol>			

01054





- 3) Reroute vent from floor funnel drain D-2 in Gas Cylinder/Equipment Storage Room# 109 to connect into the domestic sewage vent system at the Women's Toilet Room due west at columns A-7. Patch and repair walls as required. Disconnect the existing connection of the vent from floor funnel drain D-2 into the contaminated vent system and cap the connection point.

Wash. Gr. Representative:

*Albert F. Munio*

Date: *08/30/07*

DISPOSITION APPROVAL

01055

# Nonconformance Report

## NCR No. 1030R2

### CLOSURE OF NCR

Corrective Actions To Be Taken to Complete NCR Close-Out:

- 1) Connect drain in Clinical Sample Room #107 to decontamination tank side of sewer system to compliment the vent to roof installation.
- 2) Connect the vent in Corridor Room #120 to the domestic side of the system to compliment the drain connected to the domestic side of the system.
- 3) Connect the vent from the floor drain in Cylinder/Equipment Storage Room #109 to the domestic side of the sewer system to compliment the drain line installation.

YMC Representative:

*Steve Dean*

Date:

8/31/07

**\*CONDITIONAL RELEASE**

(IF applicable)

Justification:

N/A

Signatures required if Conditional Release is applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

August 28, 2007

**Washington Group International**

720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-023 – Reroute Vent Line from Autoclave Floor Drain in Room #120.  
(Identified In NCR 1030R)**

**Remove portion of existing vent and cap (to eliminate connection to vent through F-3 HEPA filter on roof). Provide ABS vent pipe from vent at floor drain to Janitor closet adjacent to Corridor Rom #122.**

**This work will eliminate the cross contamination at this location.**

**All testing, labor, miscellaneous materials, supervision and management included.**

**Total Price \$3,934.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

**Patching or repair of ceilings/walls as it does not appear it will be necessary at this time.**

Respectfully,

Bill Graham

Valid for 30 Days





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August 28, 2007

**Washington Group International**

720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-024R – Reroute Drain Line from Autoclave Floor Drain in Room #107.  
(Identified In NCR 1030R)**

**Investigate cross contamination issues, cut piping apart to isolate system to test pressure,  
and repair piping.**

**Remove portion of existing drain and piping, cap and reroute drain back to  
decontamination tank.**

**This work will eliminate the cross contamination at this location.**

**All testing, labor, miscellaneous materials, supervision and management included.**

**Total Price \$3,240.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

**Patching or repair of ceilings/walls as it does not appear it will be necessary at this time.**

Respectfully,

Bill Graham

Valid for 30 Days





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August 28, 2007

**Washington Group International**

720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-025 – Reroute Vent Line from Floor Drain in Room #109 Cylinder Storage.  
(Identified In NCR 1030R)**

**Open wall, remove current connection, install new ABS pipe from Room #109 back through Room #102 Receiving and cut back into 3" cast iron vent pipe in Women's Bathroom adjacent to this area. Replace sheetrock removed, patch and repaint wall.**

**This work is difficult as a result of the current location of the drain, and the route necessary to install the new drain.**

**This work will eliminate the cross contamination at this location.**

**All testing, labor, miscellaneous materials, supervision and management included.**

**Total Price \$7,202.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



<p align="center"> <b>State of Idaho</b>  <b>DIVISION OF PUBLIC WORKS</b>  <b>NONCONFORMANCE</b>  <b>RESOLUTION REPORT</b>  <b>(N.C.R.R.)</b> </p>		DPW PROJECT NO. <b>06-350</b>	
		CODE	AMOUNT
		CC	
To (Project Manager) <b>Washington Group International</b>		DATE	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements</b> <b>2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R.R.# <b>05</b>	Date: <b>August 31, 2007</b>
<b>THE CONTRACT IS CHANGED AS FOLLOWS:</b>			
NCR, RFI, PR and/or CCD # (if applicable) <b>NCR-1026</b>	Description of Change Remove ceiling structure complete, including support grid and gypsum board facing in Clinical Sample Storage Room# 107, Ante Room# 110, Shower Room# 111, ShowerRoom#112, BSL-3 Primary Procedures Room# 113, Work Room# 114, BAC-T Virology Lab Room# 117, and TB/Mycology Lab Room# 118. After completion of all mechanical and electrical work above ceilings, install new support grid and gypsum board surface in compliance with specification section 09255. Coordinate support grid and gypsum board installation with locations of light fixtures, HVAC air terminals, ceiling access panels, ceiling located components of fire alarm and security systems.		Change in Contract Amount

**01060**

WGI002055

DPW36488

YMC Proposal Request # 020	\$ 7,314.
Washington Group Markup (12%)	<u>878.</u>
Total Amount this Change	8,192.
Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 120,527.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,016,565.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 8,192.
Revised Contract Amount	\$ 2,024,757.
<b>RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL</b> Project #28431-2	Date
<b>PERFORMED BY YMC INC.</b> Project #21426	Date
<b>DPW FIELD REPRESENTATIVE</b>	Date
<b>DPW PROJECT MANAGER</b>	Date
<b>APPROVED BY ADMINISTRATOR</b>	Date

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

**01061**  
WGI002056  
DPW36489







## Nonconformance Report

NCR No. 1026

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	8/22/07
Specification Reference:	Specification Section 09255	Drawing Reference:	N/A
<b>NONCONFORMANCE DESCRIPTION</b>			
<p>Requirement:</p> <p>1) Suspended gypsum board ceiling to be installed per Specification Section 09255, page 3, 2.2 and page 8, 3.4.</p>			
<p>Deficiency:</p> <p>Suspended gypsum ceiling was not installed as required by the Specifications noted above.</p> <p>Attachments: Photographs A-15-a and A-15-b (partial sheet of OSB board used to stabilize ceiling components in BAC-T Virology Lab Room# 117 and TB/Mycology Lab Room# 118); A-15-c and A-15-d (pine 2"x4" board used to support hat channels in lieu of steel furring; steel furring channels specified do not exist in Clinical Sample Storage Room# 107); A-15-e (edge framing is light gauge metal and not steel furring; spacer used is aluminum section in Shower Room# 112); A-15-f, A-15-g and A-15-g1 (hat channel is again tied to steel support member in Shower Room# 112 which will not allow 'flat' ceiling installation); A-15-h and A-15-h1 (another photograph of the hat channel being tied to the steel furring channel in Shower Room# 112); A-15-i and A15-j (wire tied around hat channel to steel furring channel in BAC-T Virology Lab Room# 117); A-15-k and A-15-k1 (wire tied around hat channel and furring member in TB/Mycology Lab Room# 118); A-15-l and A15-m (lack of steel furring channels, improper edge angle, and improper framing around light fixture openings in BSL-3 Primary Procedures Room# 113 and BAC-T Virology Lab Room# 117 respectively); A-15-p, A-15-q, A-15-r, A-15-s, A-15-t, and A-15-u (indicates global lack of steel support channels and light gauge framing around fixtures in ceiling framing).</p>			
Photo. ID#: (if applicable)	A-15-a, b, c, d, e, f, g, g1, h, h1, i, j, k, k1, l, m, p, q, r, s, t and u.	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	X Subcontractor Deviation	Supplier Deviation

01063

WGI002058

DPW36491

RECOMMENDED DISPOSITION						
REWORK	X	SCRAP	USE-AS-IS	REPAIR	CONDITIONAL RELEASE *	
<p>Remove the ceiling and its non-compliant support structure in its entirety. After completion of mechanical work above ceiling, including repair work required on supply ductwork systems to eliminate excessive leakage and reinsulation, relocation of plumbing water hammer arrestors, and installation and leak testing of new stainless steel exhaust duct systems, install new ceiling support grid and gypsum board ceilings in compliance with specification section 09255. Coordinate installation with light fixtures and ceiling access panel locations to ensure proper installation as specified in section 09255.</p> <p>Wash. Gr. Representative: _____ Date: _____</p>						
DISPOSITION APPROVAL						

**Washington Group International**

FORM 457-01 (MM)

**Nonconformance Report**  
**NCR No. 1026**

CLOSURE OF NCR
<p>Corrective Actions To Be Taken to Complete NCR Close-Out:</p> <p>Install new ceiling support grid and gypsum board ceilings in full compliance with specification section 09255.</p>
<p>YMC Representative: _____ Date: _____</p>

*CONDITIONAL RELEASE (IF applicable)
Justification:
N/A
Signatures if Conditional Release is applicable:
<p>Wash. Gr. Representative: _____ Date: _____</p> <p>YMC Representative: _____ Date: _____</p> <p>DPW Representative: _____ Date: _____</p>

**01064**

WGI002059

DPW36492



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

August 31, 2007

**Washington Group International**

720 Park Blvd.

Boise, ID 83729

208.386.5262

208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-020R – Remove/Replace Ceilings in Work Areas**

**Remove ceilings (to complete removal) in Rooms #107, #110, #111, #112, #113, #114, #117 and #118.**

**Removal of remainder of ceilings (over and above projected removal in YMC proposal) was required as a result of need to remove insulation on supply air duct to locate and repair leaks, and as a result of suspended gypsum board ceiling being placed improperly which would not allow 'patch back' to existing system.**

**All labor, miscellaneous materials, supervision and management included.**

**Total Price \$7,314.00**

**Exclusions:**

**Any work not mentioned above.**

**Work performed outside normal business hours.**

**No power or hardware changes.**

**Conduit for existing wiring (included elsewhere).**

**No access doors (included elsewhere).**

**No Fire Alarm, Speaker or Light removal/replacement (included elsewhere).**

Respectfully,

Bill Graham

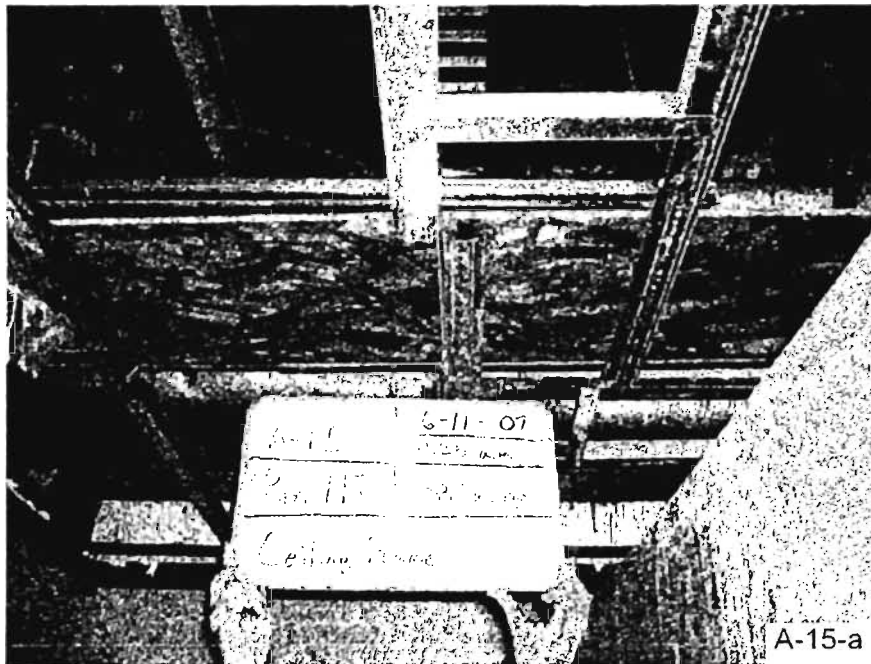
Valid for 30 Days



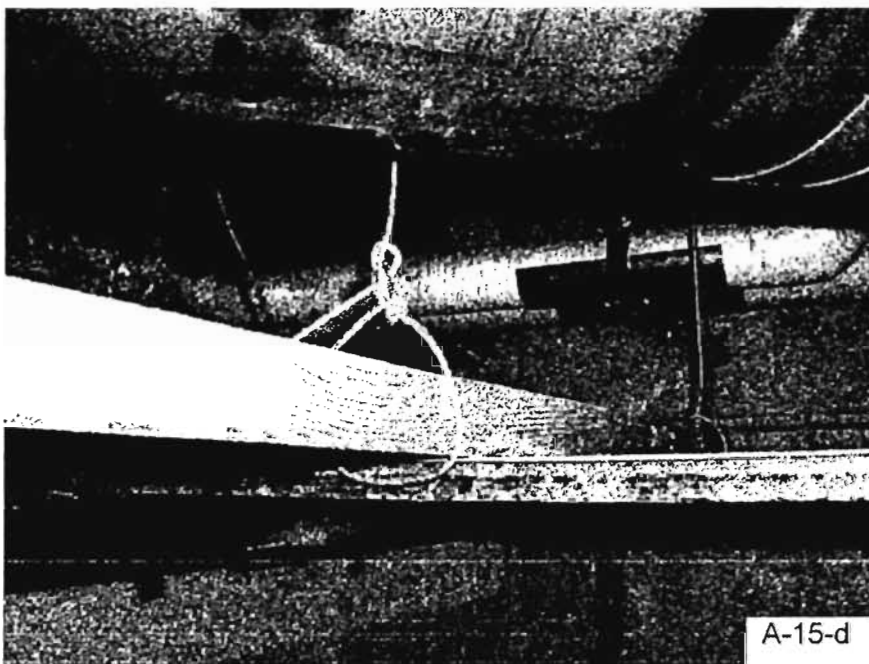
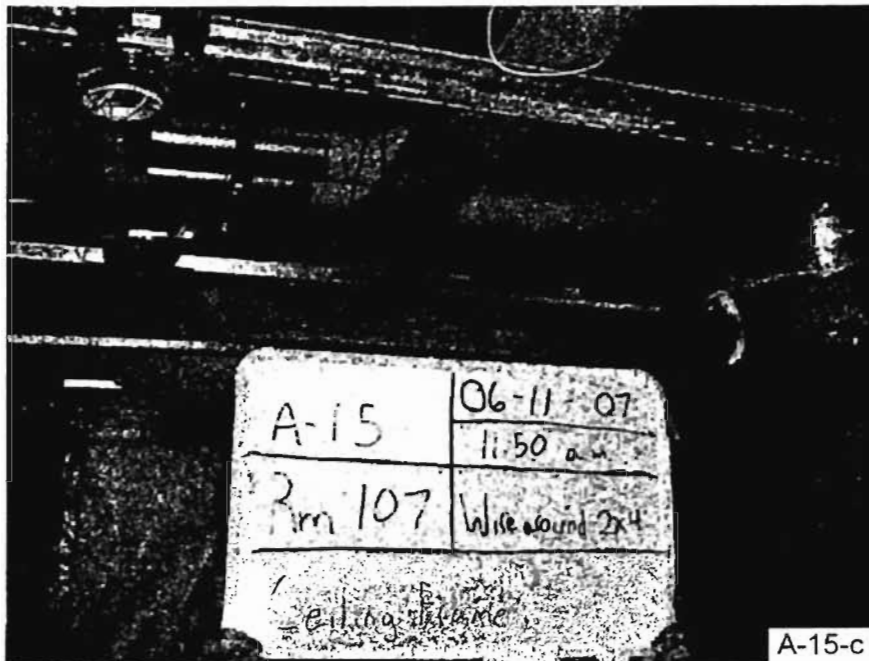
**01065**

WG1002060

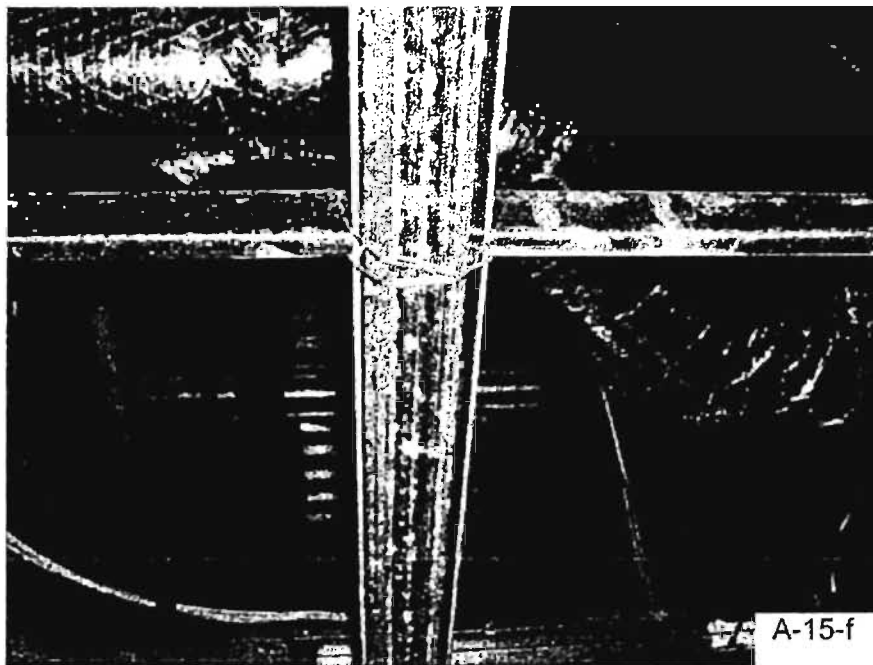
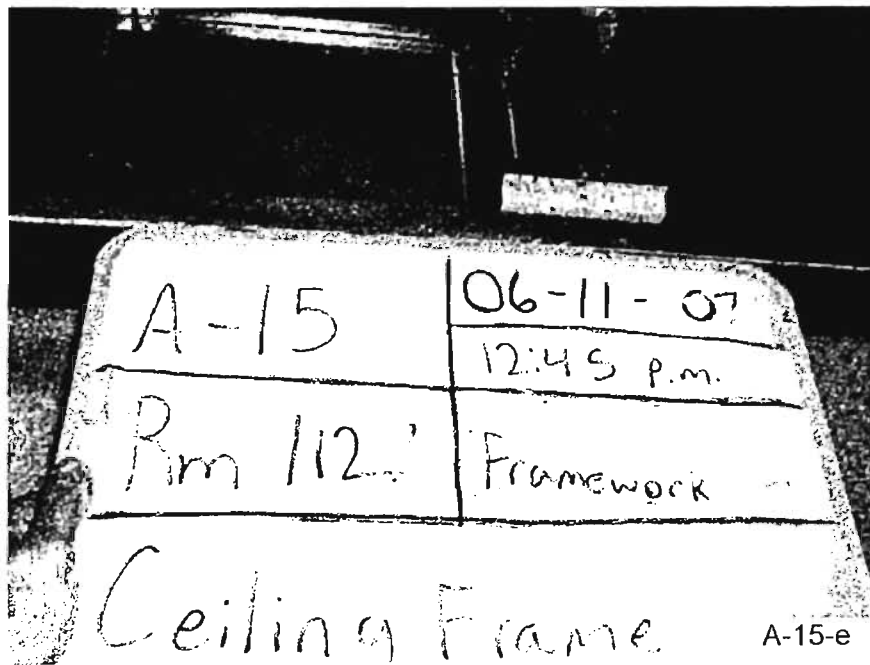
DPW36493



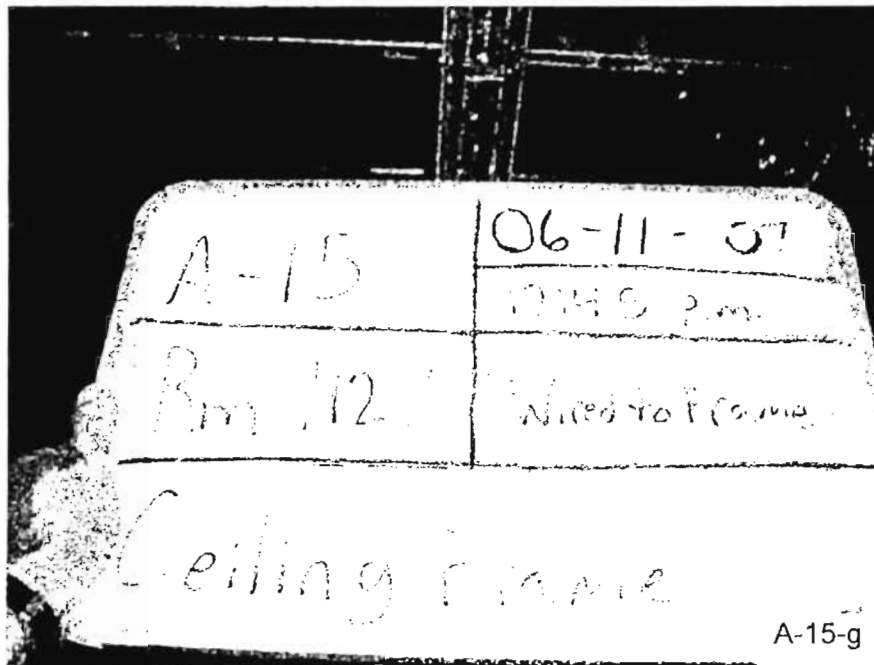
Photos 'a' and 'b': OSB (plywood) was laid directly on the ceiling frame and hat channel was screwed in place to it.



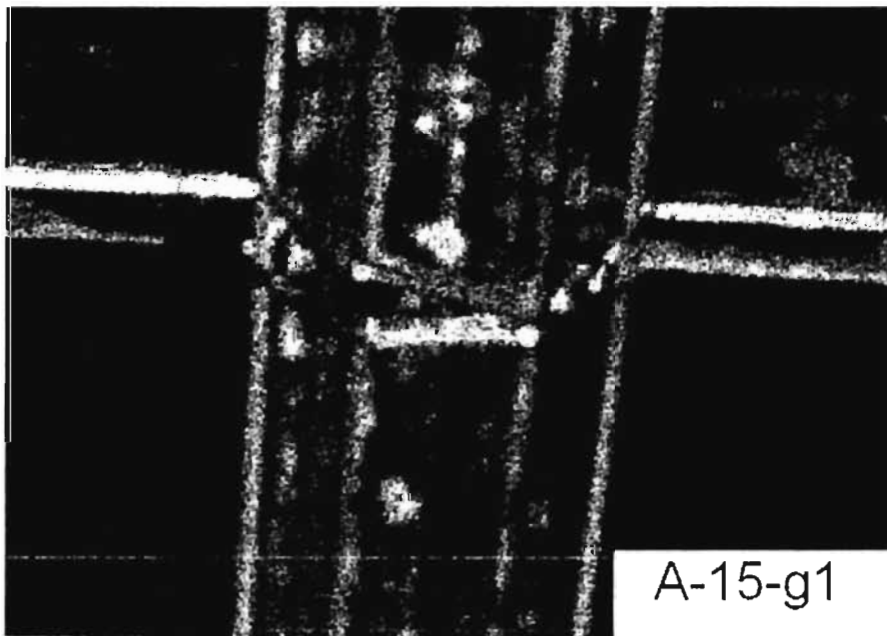
Photos 'c' and 'd': A wire was tied around a non rated two-by-four to support the ceiling framing (hat channel was screwed to wood 2X4).



Photos 'e' and 'f': Wire was tied around the support framing hat channel which led to a 'wavy/uneven' sheetrock installation on the ceilings.

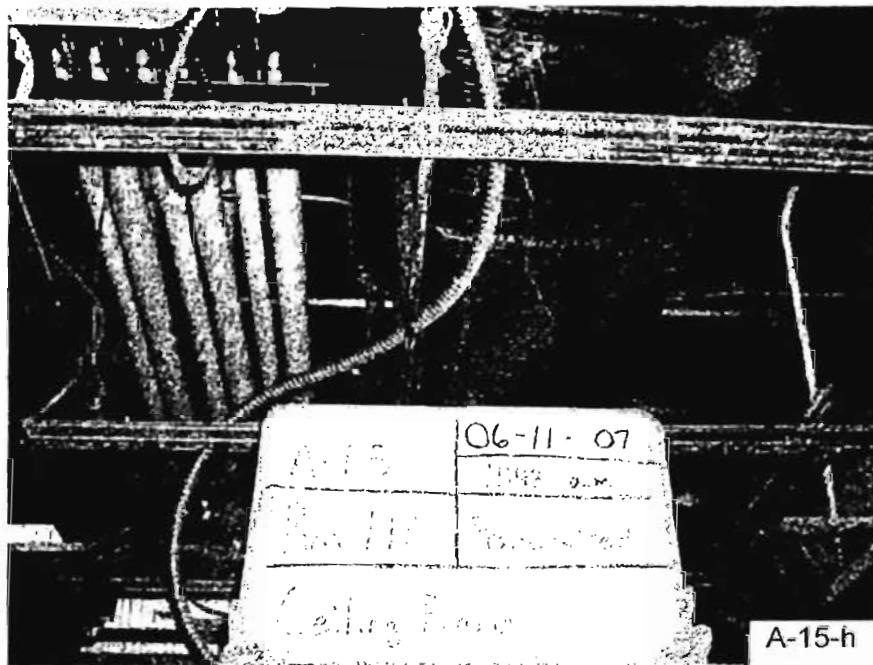


A-15-g

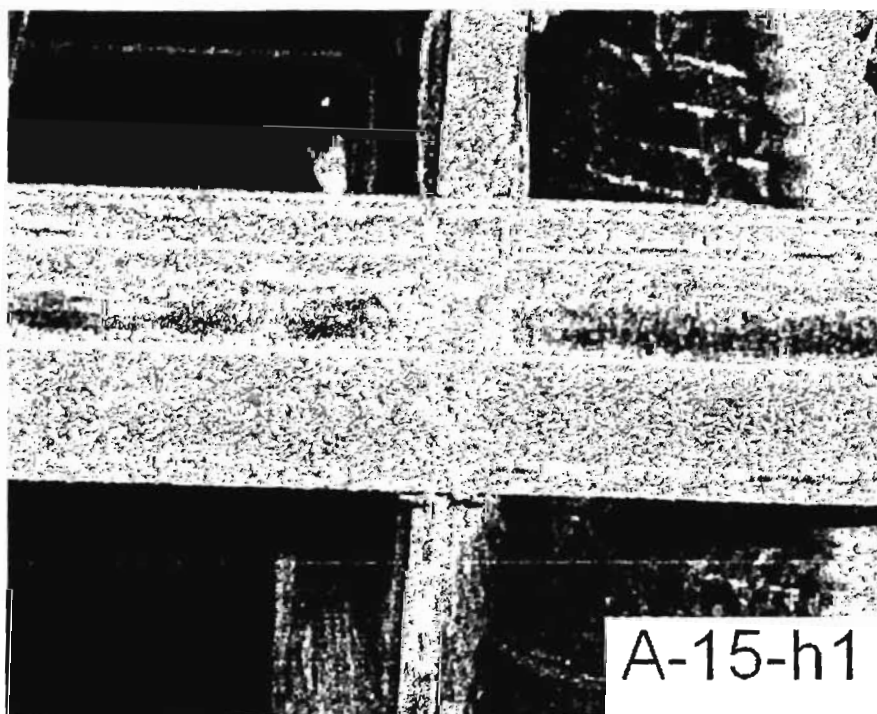


A-15-g1

Photos 'g' and 'g1': Wire was tied around the support framing channel which led to a 'wavy/uneven' sheetrock installation on the ceilings. The close-up 'g1' shows a detail of the wire.



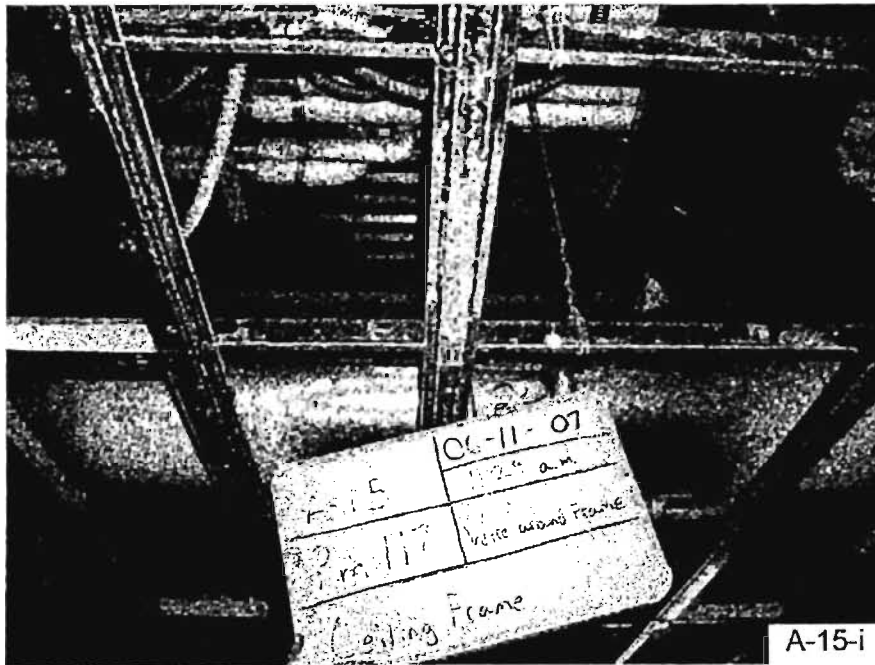
A-15-h



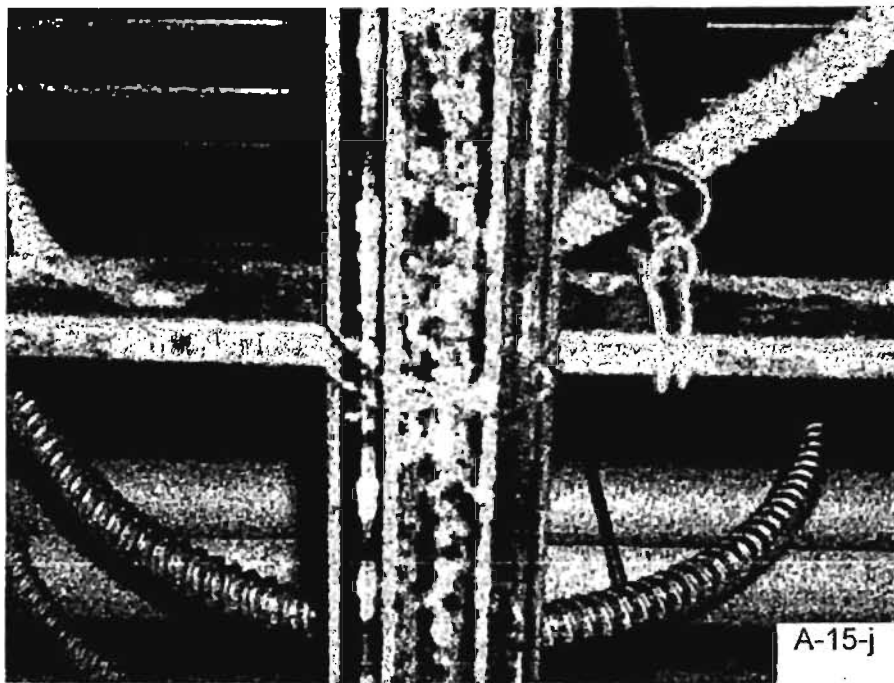
A-15-h1

Photos 'h' and 'h1': Wire was tied around the support framing hat channel which led to a 'wavy/uneven' sheetrock installation on the ceilings. The close-up 'h1' shows a detail of the wire.



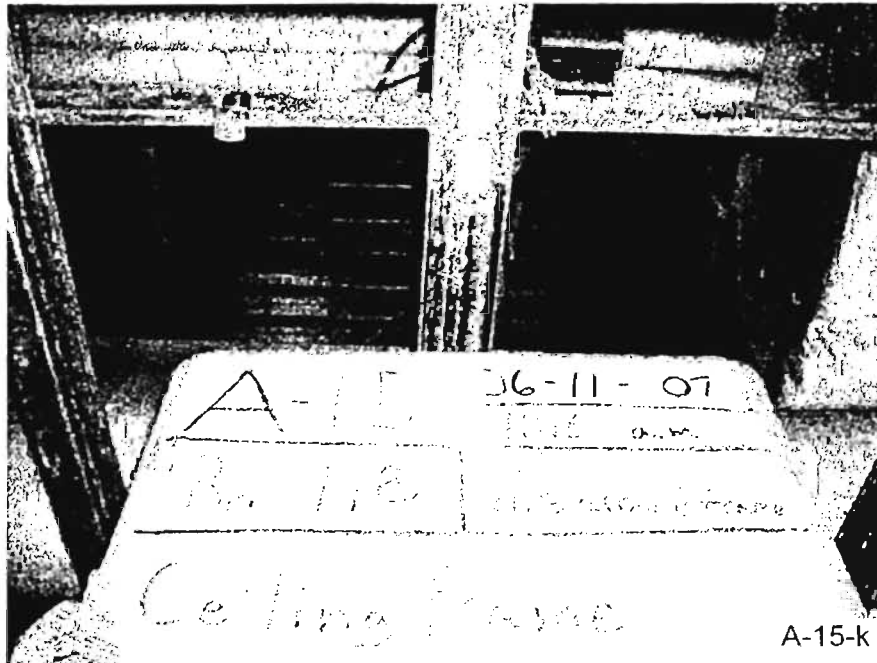


A-15-i

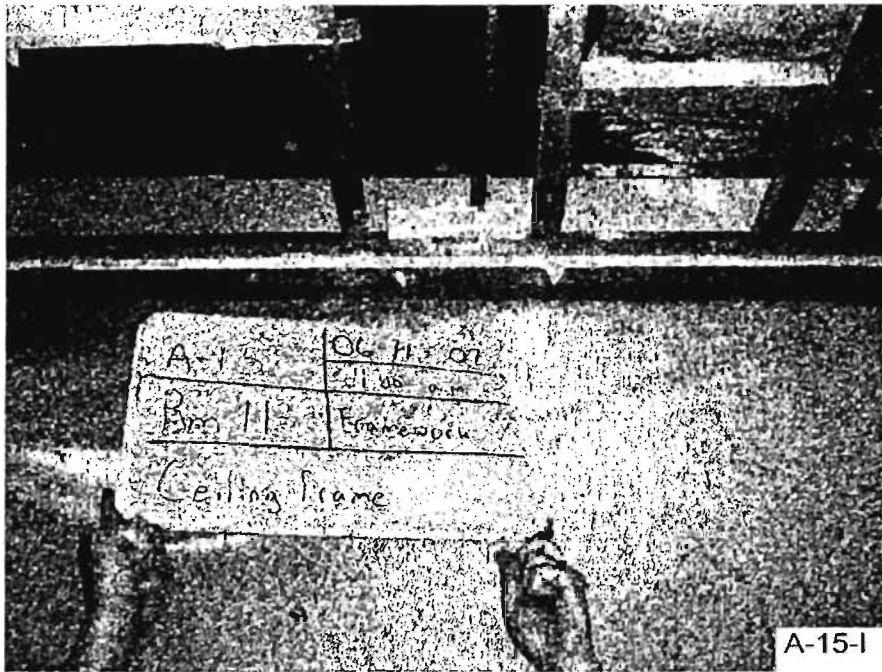


A-15-j

Photos 'i' and 'j': Wire was tied around the support framing hat channel which led to a 'wavy/uneven' sheetrock installation on the ceilings.



Photos 'k' and 'k1': Wire was tied around the support framing hat channel which led to a 'wavy/uneven' sheetrock installation on the ceilings. The close-up 'k1' shows a detail of the wire.



Photos 'l' and 'm': Photos indicate frame workmanship.

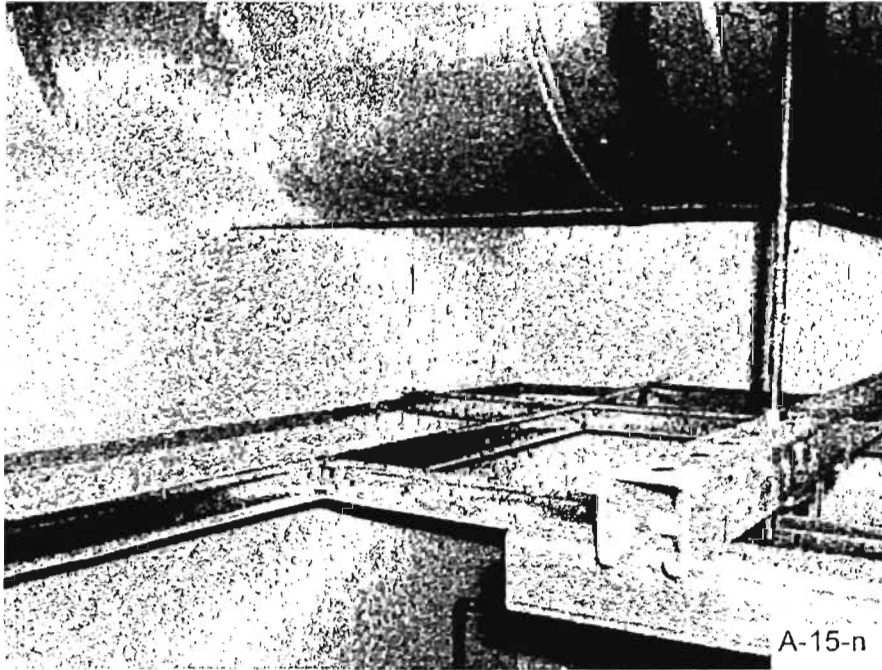


Photo 'n': Photo of frame workmanship in the Northwest corner of Room 117(no support wiring installed at suspended ceiling).

<b>State of Idaho</b> <b>DIVISION OF PUBLIC WORKS</b> <b>NONCONFORMANCE</b> <b>RESOLUTION REPORT</b> <b>(N.C.R.R.)</b>		DPW PROJECT NO. <b>06-350</b>	
		CODE	AMOUNT
		CC	
To (Project Manager) <b>Washington Group International</b>		DATE	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements</b> <b>2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R. R. # 06	Date 10/02/07
<b>THE CONTRACT IS CHANGED AS FOLLOWS:</b>			
NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount	
NCR-1001	Install fire alarm wiring in conduit per specification 16721, paragraph 3.2-A YMC Proposal Request# PR-009	\$ 12,017.	
NCR-1004R	Relocate junction boxes in TB/Mycology Lab Room# 118 and in Work Room# 114 to allow access. YMC Proposal Request# PR-033	\$ 8,188.	
NCR-1017	Install camera wiring in conduit as specified on Drawing Sheet E2.1S, Plan Key note S3. YMC Proposal Request# PR-014	\$ 2,703.	
NCR-1019	Install electronic door hardware wiring in conduit as specified in Details# 1, 2, and 3, or drawing E2.1S. YMC Proposal Request# PR-008	\$ 16,388.	
NCR-1022	Install BCS and Strobe wiring in conduit as specified in the Circuiting Schedule on Sheet E2.1P. YMC Proposal Request# PR-013	\$ 3,623.	
NCR-1035	Install speaker system wiring in conduit above non-accessible ceilings, as specified in section 16726 paragraph 3.2-A. YMC Proposal Request# PR-015	\$ 3,623.	
NCR-1041	Furnish and install additional strobes in Ante Room# 110 and in Emergency Exit Room# 119 as requested by Fire Marshal. Connect new strobes to existing strobe circuit. Wiring for new strobes will be in conduit as specified in the Circuiting Schedule on drawing E2.1P. YMC Proposal Request# PR-011R	\$ 5,865.	
	Subtotal of YMC PR-009, PR-033, PR-014, PR-008, PR-013, PR-015, and PR-011	\$ 52,407.	
	Washington Group Markup (12%)	\$ 6,289.	

01075

DPW31815

DPW36503

Total Amount this Change

\$ 58,696.

Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 128,719.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,024,757.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 58,696.
Revised Contract Amount	\$ 2,083,453.
<b>RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2</b>	<b>Date</b>
<b>PERFORMED BY YMC INC. Project #21426</b>	<b>Date</b>
<b>DPW FIELD REPRESENTATIVE</b>	<b>Date</b>
<b>DPW PROJECT MANAGER</b>	<b>Date</b>
<b>APPROVED BY ADMINISTRATOR</b>	<b>Date</b>

Original: DPW Contract File    Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

**JUSTIFICATION FOR CHANGE****DPW Project No.**

06-350

**N.C.R.R. No. 06**

NCR-1001 – Specification section 16721, paragraph 3.2.A required fire alarm wiring to be installed in conduit. During phase 1 construction activities, a change was allowed to delete the conduit. Upon further review and analysis, the deletion of the conduit was deemed to be an error. Insofar as virtually the entire ceiling space above the BSL-3 Facility is totally non-accessible after installation of the ceiling, any problem that might arise, either as the product of construction damage or wiring damage or failure, would be non-repairable without cutting and patching the ceilings in the laboratory rooms to allow access, which would necessitate interruption of laboratory functions for extended periods. Reworking the wiring to install conduit will allow access and service of the fire alarm system, if required, with minimal disruption of laboratory functions, and will eliminate the need to cut and patch ceilings to gain access.

NCR-1004R – The existing installations of the junction boxes in both Room 118 and Room 114 did not allow access as required by NFPA-70 (National Electrical Code). Relocation of both junction boxes to permanently accessible locations was necessary to bring the installation into conformance with National Electrical Code requirements.

NCR-1017 – Plan Key Note S3 on drawing E2.1S requires the camera wiring to be installed in conduit. Either as part of the change order referenced under NCR-1001 above or in non-conformance to the specified requirement of the drawing note, the camera wiring was not installed in conduit. To allow routine service and maintenance of the system wiring without major disruption to laboratory operations, and/or to avoid the need to abandon service to any of the cameras, thereby compromising security, rework of the wiring into conduit is warranted.

NCR-1019 – Details 1, 2, and 3 on drawing E2.1S require all electronic door hardware to be installed in conduit. None of the wiring was in conduit; in fact the wiring was left in a totally disheveled condition, partially in and partially out of junction boxes, and most of the junction boxes were not covered. Perhaps the change order to delete conduit referenced in NCR-1001 above included this wiring either directly or by inference. But to ensure the sustained integrity and operability of the door access systems throughout the BSL-3 Facility, installation of the wiring into conduit as originally specified is warranted.

NCR-1022 – The Circuits Schedule on drawing E2.1P required the BCS and Strobe wiring to be installed in conduit, but it was not; perhaps because of the earlier referenced change order. Because access to the wiring above laboratory Rooms 107, 113, 117, and 118 is non-existent after reinstallation of the ceiling, installation of the wiring is warranted and necessary to permit service and maintenance without major interruption of laboratory operations for extended time frames in the event of problems.

NCR01035 – Either because of deletion by the change order referenced in NCR-1001 above, or by assumed exemption, the wiring for the speaker system throughout the BSL-3 facility was not installed in conduit as specified in specification section 16721, paragraph 3.2-A. To ensure sustained operability and/or to allow service without disruption of laboratory operations in the event of problems, installation of the speaker system wiring in conduit above non-accessible ceiling areas is warranted and necessary.

01078

DPW31818

DPW36506



NCR-1041—During review of the existing installed fire alarm system, the Fire Marshall requested installation of additional strobes in Ante Room# 110 and Emergency Exit Room# 119. The wiring for these added strobes is installed in conduit and connected into the exiting strobe circuitry. The new strobes are necessary to satisfy Fire Marshall requirements for the Facility.

Attachments: NCR-1001, PR-009, photo# E-2h, E-2i, E-2n, E-2o, E-2p, E-2s, -2t, E-2u, E-2v, E-2ff, E-2gg.

NCR-1004R, PR-033, photo# E-1b, E-1c, E-1d.

NCR-1017, PR-014, photo# E-bb, E-2cc.

NCR-1019, RFI-003, PR-008, photo# E-2d, E-2e, E-2j, E-2k, E-2r, E-2x, E-2y, E-2ll.

NCR-1022, RFI-025, PR-013, photo# E-2l, E-2m, E-2hh, E-2ii, E-2jj, E-2kk.

NCR-1035, PR-015.

NCR-1041, RFI-038, PR-011.

**010'79**

DPW31819

DPW36507

State of Idaho

**DIVISION OF PUBLIC WORKS  
NONCONFORMANCE  
RESOLUTION REPORT  
(N.C.R.R.)**

DPW PROJECT N  
06-350

CODE AMOUNT

CC

\$4,337

DATE

1/18/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements

2220 Old Penitentiary Road, Boise, Idaho

N.C.R. R.  
# 07

Date

10/02/07

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-049, NCR-1038	<p>In Gas Cylinder/Equipment Storage Room 109, clean and rebuild the four backflow preventers to replace the hardened seats and gaskets with new resilient ones. Have the backflow preventers tested and certified in accordance with International Plumbing Code (2000) requirements.</p> <p>Clean and reseal the floor drain to the concrete floor using an epoxy based sealant. Insofar as the floor drain was core-drilled and installed as part of the remodel, no safe pan or flashing exists on this drain; hence the leakage to the basement when a spill occurs.</p> <p>Install a spring loaded, rubber seated check valve on the inlet of each backflow preventer (4 required). Insofar as the BSL-3 facility water usage for each of the backflow preventers is primarily a dead-end service, the periodic discharge experienced is normal to the equipment design (see the Note in paragraph D on page 3 of Watts Installation Bulletin # RP/IS-009). The check valves installed must be NSF approved for use on potable water service.</p>	<p>YMC Proposal Request# PR-026R \$ 3,872.</p> <p>Washington Group Markup (12%) \$ 465.</p> <p>Total Amount this Change \$ 4,337.</p>

FILE

Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 187,415.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,083,453.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 4,337.
Revised Contract Amount	\$ 2,087,790.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 10/04/07
PERFORMED BY YMC INC. Project #21426	Date 10/13/07
DPW FIELD REPRESENTATIVE	Date 10/09/07
DPW PROJECT MANAGER	Date 10/11/07 <del>EMH</del>
APPROVED BY ADMINISTRATOR	Date 11/18/08

01/17/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

## JUSTIFICATION FOR CHANGE

DPW Project No.

06-350

N.C.R.R. No. 07

As indicated on RFI 049 and NCR-1038, the backflow preventers in Gas Cylinder/Equipment Storage Room# 109 were noted to be leaking and overflowing their installed drainage collectors when activated. It was noted that the problem was exacerbated when inlet system water pressure fluctuated due to usage elsewhere in the facility, such as flushometer operation. Further, the leakage water that overflowed the collector was seeping around the funnel floor drain at its interface to the concrete floor and leaking into the storage area in the Basement below. Also, the International Plumbing Code (2000) requires annual testing and certification of backflow prevention devices to ensure sustained performance in compliance with their design intent. Insofar as the backflow prevention devices in Gas Cylinder/Equipment Storage Room# 109 had been installed and certified in calendar 2003/2004, they are now out of compliance with Code requirements regarding annual testing and recertification. During inspection and testing for recertification, it was also found that the seats and gaskets in the devices had hardened and needed replacement. Also, during analysis of the leakage problem, it was determined that the leakage experienced during system pressure fluctuations is normal to intermittent low usage applications like the BSL-3 Facility. Watts Regulator Company, the manufacturer of the installed equipment recommends installation of spring loaded, resilient seated check valves at the inlet to this type backflow preventer to alleviate the leakage problem during system pressure fluctuations on "dead end" applications such as this. The recommended resolution to RFI-049 and NCR-1038, as also reiterated above, is to rebuild and recertify the backflow preventers for use, install spring loaded, resilient seated check valves on the inlet to each backflow preventer, and clean and reseal the seam at the interface between the floor drain and the concrete floor to alleviate or minimize leakage into the Basement area.

Attachments: RFI-049, NCR-1038, YMC PR-026R dated 9/12/07, page 3 from Watts Regulator Co. Installation Bulletin# RP/IS-009.

01082

**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

**Request for Information**

ATTENTION

Al Munio

RFI No.:

049 (P-17)

Please disposition the following problems:

Engineering Discipline:	Mechanical	Date Issued:	9/4/07
Contract No.:	DPW 06-350/YMC 21426	Date Closed:	9/04/07
Project Name:	BSL #3 Completion/Update	Response Needed Date:	9/6/07
Location:	Backflow Devices in Room #109	Key Drawing/Spec:	Sheet M2.2 and Sheet M6.1
PROBLEM:	Units draining water and leaking on the floor		
TITLE:	Backflow Valve Leaks		
REFERENCES:	N/A		
LOCATION:	Units mounted on wall		
DESCRIPTION:			

The backflow devices, when pressured up, over-run the bowls on the devices which then drips/leaks on the floor. The floor drain apparently isn't sealed and the water then drips/leaks into the room below. We believe the problem is created by two issues: 1) the building water pressure is 35 psi and when the water is drawn down by lav's/sinks/etc. the backflow devices operate and thus the drips/leaks and: 2) the interior gaskets are hard and need to be replaced.

We suggest: 1) having the devices cleaned and rebuilt to insure the gaskets are operable; 2) we suggest increasing the water pressure to a minimum of 50 psi; and 3) we suggest sealing the 'cut-in' floor drain with epoxy to minimize future problems.

ORIGINATOR: Steve Dean, YMC Inc.

DATE: 9/4/07

RESOLUTION:	Design Change:	Yes	X	No	Design Change Review by:	Date:
					Al Munio	9/04/07

Provide a price proposal to accomplish the following:

- 1) Proceed with cleaning/rebuilding the backflow preventers to replace the hardened seats and gaskets with new resilient ones.
- 2) Also proceed with cleaning and sealing the floor drain to the concrete floor using an epoxy based sealant. Insofar as the floor drain was core-drilled and installed as part of the remodel, no safe pan or flashing exists on this drain; hence the leakage to the basement when a spill occurs.
- 3) In concert with repair/rebuilding of the backflow preventers, install a spring loaded, rubber seated check valve on the inlet of each backflow preventer. Insofar as the BSL-3 facility water usage for each of the backflow preventers is primarily a dead-end service, the periodic discharge experienced is normal to the equipment design (see the Note in paragraph D on page 3 of Watts Installation Bulletin # RP/IS-009).

Wash. Gr. Representative/Date: Al Munio -- 9/04/07	YMC Representative/Date:
<i>Al Munio</i> 10/22/07	<i>Steve Dean</i> 10/23/07

### Nonconformance Report

NCR No. 1038

Location:	BSL #3 Laboratory	Originator:	S. Dean
Reference (i.e. RFI/CCD):	Proposal Request #026	Date:	9/4/07
Specification Reference:	Specification Section 15100-7, 2.9.	Drawing Reference:	Sheet 6.1 Detail 4 and Sheet M2.2
<b>NONCONFORMANCE DESCRIPTION</b>			
Requirement: Provide operational backflow devices in Room #109 per Specifications. Certify the backflow devices as required by Code.			
Deficiency: 1) Backflow devices are operating but are leaking on floor. 2) Units have not been certified since they were installed. 3) Water leaks around floor drain and drips into room below.			
Attachments: RFI-049, YMC PR-026R dated 9/12/07.			
Photo. ID#: (if applicable)	N/A	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	Subcontractor Deviation	<input checked="" type="checkbox"/> Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/> REWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS	<input type="checkbox"/> REPAIR
<input type="checkbox"/> CONDITIONAL RELEASE *			
1) Clean/rebuild the backflow preventers to replace the hardened seats and gaskets with new resilient ones. 2) Have backflow preventers tested and recertified in accordance with International Plumbing Code (2000) requirements. 3) Clean and reseal the floor drain to the concrete floor using an epoxy based sealant. Insofar as the floor drain was core-drilled and installed as part of the remodel, no safe pan or flashing exists on this drain; hence the leakage to the basement when a spill occurs. 4) Install a spring loaded, rubber seated check valve on the inlet of each backflow preventer. Insofar as the BSL-3 facility water usage for each of the backflow preventers is primarily a dead-end service, the periodic discharge experienced is normal to the equipment design (see the Note in paragraph D on page 3 of Watts Installation Bulletin # RP/IS-009). Check valves must be NSF approved for use on potable water service.			
Wash. Gr. Representative: <u><i>Attendant J. Minic</i></u>		Date: <u>10/02/07</u>	
<b>DISPOSITION APPROVAL</b>			

01084



**Nonconformance Report**  
**NCR No. 1038**

**CLOSURE OF NCR**

Corrective Actions To Be Taken to Complete NCR Close-Out:

Backflow preventers are being rebuilt and will be recertified in accordance with Code requirements. Floor drain is being resealed to the existing concrete floor using an epoxy based sealant. New spring loaded, resilient seated check valves are being installed at the inlet to each backflow preventer to reduce nuisance leakage during system pressure fluctuations.

YMC Representative:

*Stan Dean*

Date:

10/3/07

**\*CONDITIONAL RELEASE**

(IF applicable)

Justification:

N/A

Approval of Conditional Release if Applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

01085



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

September 12, 2007

PR-026R – Investigate, Repair, Certify and Add Valves at Backflow Valves in Room #109  
(Identified in RF1 049/NCR 1038)

**Problem description and proposed solutions:**

- 1) Gaskets on interior of devices are hard and are not seating properly. **SOLUTION:** Remove gaskets and replace with new, install tubing to minimize dripping/leaking on floor.
- 2) Water pressure in building is 35 psi and fluctuates considerably from additional water use in building. Off set in pressure may be causing the devices to activate and then water dribbles over the bowls on the devices and onto the floor. **SOLUTION:** This condition cannot be corrected (Chris Motley was contacted).
- 3) Floor Drain in room is cut in and has no safety pan. Water runs down beside the floor drain and leaks into the space below. **SOLUTION:** Install epoxy coating over the floor and around the drain. We cannot guarantee this will resolve the problem, but it should minimize the leak.
- 4) Backflow devices must be certified annually. **SOLUTION:** Obtain service technician to certify the devices.
- 5) No valves exist at devices as recommended by manufacturer for end of line installation which should minimize any leaking at bowl on devices. **SOLUTION:** Install valves as recommended by manufacturer.

All testing, labor, miscellaneous materials, supervision and management included.

No time impact.

Total Price \$3,872.00

**Exclusions:**

Any work not mentioned above.

Work outside normal business hours.

Respectfully,

Bill Graham

Valid for 30 Days



01086



# Installation Instructions

**Note: Shutoff Valves:** When shutoff valves are removed and reassembly is necessary, the shutoff valve with the test cock is to be mounted on the inlet side of the backflow preventer.

- A. The 009 should always be installed in an accessible location to facilitate testing and servicing (See page 2). **Check the state and local codes to ensure that the backflow preventer is installed in compliance, such as the proper height above the ground.**
- B. We recommend a strainer be installed ahead of 009 series assemblies to protect the internal components from unnecessary fouling.

**Caution:** Do not install with strainer when backflow preventer is used on seldom-used water lines which are called upon only during emergencies, such as fire sprinkler lines.

**Start Up:** The downstream shutoff should be closed. Open upstream slowly and fill valve. When valve is filled, open the downstream shutoff slowly and fill the water supply system. This is necessary to avoid water hammer or shock damage.

- C. Water discharge from the relief valve should be vented in accordance with code requirements. The relief valve should never be solidly piped into a drainage ditch, sewer or sump. The discharge should be terminated approximately 12" above the ground or through an air gap piped to a floor drain.

## NOTE: Relief Valve Discharge Rates

The installation of an air gap with the drain line terminating above a floor drain will handle any normal discharge or nuisance spitting through the relief valve. However, floor drain size may need to be designed to prevent water damage caused by a catastrophic failure condition. Please refer to Figure No. 1 for maximum relief valve discharge rates, size and capacity of typical floor drains.

**NOTE: Do not** reduce the size of the drain line from the air gap fitting. Pipe full line size.

- D. After initial installation, a discharge from the relief valve opening may occur due to inadequate initial flushing of pipe lines to eliminate dirt and pipe compounds. If flushing will not clear, remove the first check valve and clean thoroughly.

**NOTE:** Periodic relief valve discharge may occur on dead end service applications, such as boiler feed lines or cooling tower makeup lines due to fluctuating supply pressure during a static or no flow condition. To avoid this discharge, install a spring-loaded rubber seated check valve ahead of the backflow assembly to "lock-in" the downstream pressure.

- E. Backflow preventers should never be placed in pits unless absolutely necessary and then only when and as approved by local codes. In such cases, provision should be made to always vent above flood level or for a pit drain to ensure an adequate air gap below the relief port.
- F. It is important that Series 009 backflow preventers be inspected periodically for any discharge from the relief valve which will provide a visual indication of need for cleaning or repair of check valves. Also testing for proper operation of the device should be made periodically in compliance with local codes, but at least once a year or more often, depending upon system conditions.

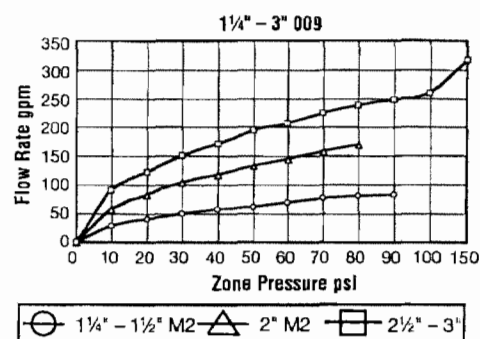
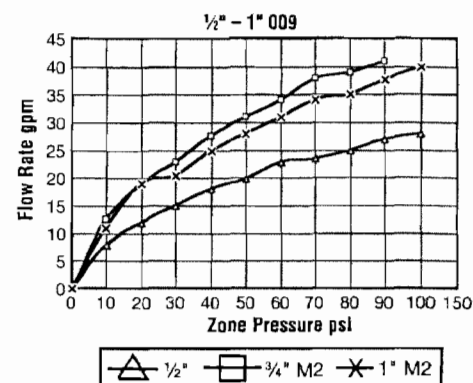
Relief vent will discharge water when, during no-flow periods, (1) the first check valve is fouled or (2) the inlet pressure to the device drops sufficiently due to upstream pressure fluctuations to affect the required operating differential between the inlet pressure and reduced pressure zone. Other wise, such relief (spitting) can occur when the second check is fouled during emergency backflow or resulting from a water hammer condition. For troubleshooting guide send for S-TSG.

**NOTE:** Special considerations are necessary when testing assemblies installed on Fire Prevention Systems.

**Fire Protection System Installations:** The National Fire protection Agency (NFPA) Guidelines require a confirming flow test be conducted whenever a "main line" valve such as the shutoff valves or a backflow assembly have been operated. Certified testers of backflow assemblies must conduct this confirming test.

Figure 1

Relief Valve Discharge Rates



TYPICAL FLOW RATES AS SIZED BY FLOOR DRAIN MANUFACTURERS:

2"	55 GPM	5"	350 GPM
3"	112 GPM	6"	450 GPM
4"	170 GPM	8"	760 GPM

<b>State of Idaho</b> <b>DIVISION OF PUBLIC WORKS</b> <b>NONCONFORMANCE</b> <b>RESOLUTION REPORT</b> <b>(N.C.R.R.)</b>		DPW PROJECT NO. 06-350	
		CODE CC	AMOUNT
To (Project Manager) <b>Washington Group International</b>		DATE	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements</b> <b>2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R. R. # <b>08</b>	Date 10/02/07
<b>THE CONTRACT IS CHANGED AS FOLLOWS:</b>			
NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount	
NCR-1015R	Furnish and install new water hammer arrestors for sink# P1-2 in Work Room# 114. Relocate the water hammer arrestors for sink P104 in Ante Room# 110 to an accessible area near an access door in the ceiling of Work Room# 114.		
	YMC Proposal Request# PR-005R	\$	2,508.
	Washington Group Markup (12%)	\$	301.
	Total Amount this Change	\$	2,809.
	Original Contract Amount	\$	1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$	191,752.
	Total Contract Amount Prior to this N.C.R.R. Item	\$	2,087,790.
	Net increase in Contract Amount with this N.C.R.R. Item	\$	2,809.
	Revised Contract Amount	\$	2,090,599.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2		Date	
PERFORMED BY YMC INC. Project #21426		Date	
DPW FIELD REPRESENTATIVE		Date	
DPW PROJECT MANAGER		Date	
APPROVED BY ADMINISTRATOR		Date	

Original: DPW Contract File    Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01088  
WGI002123  
DPW36516

**JUSTIFICATION FOR CHANGE**

**DPW Project No.**  
06-350  
**N.C.R.R. No. 08**

The International Plumbing Code (2000) requires water hammer arrestors to be installed on every plumbing fixture or bank of plumbing fixtures to prevent shock to the piping system from rapid opening/closing of plumbing brass. Further, the IPC requires the water hammer arrestors to be located in permanently accessible areas so that they can be accessed for service as required. Sink P1-4 in Ante Room#110 was equipped with the required water hammer arrestors, but they were located above the ceiling of Ante Room# 110, which is a hard ceiling and non-accessible. The water hammer arrestors were therefore relocated to allow access from an access door located in the ceiling of Work Room# 114.

Sink P1-2 in Work Room# 114 was not equipped with water hammer arrestors as required by The International Plumbing Code. The required Water hammer arrestors were furnished and installed, and located near an access door in the ceiling to provide the required access.

Attachments: NCR-1015R, YMC PR-005R dated 8/18/07, photographs P1-j, P1-k, P1-l

### Nonconformance Report

NCR No. 1015

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	7/20/07
Specification Reference:	15100-8 2.13,A	Drawing Reference:	N/A
<b>NONCONFORMANCE DESCRIPTION</b>			
<b>Requirement:</b> Water hammer arrestors are specified for the hot and cold water systems.			
<b>Deficiency:</b> No water hammer arrestors exist for sink in Room #114. Water hammer arrestors in Room #110 were not accessible (above hard ceiling).			
<b>Attachments:</b>			
Photo. ID#: (if applicable)	P-1-j,k,l	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation <input checked="" type="checkbox"/> Subcontractor Deviation <input type="checkbox"/> Supplier Deviation <input type="checkbox"/>		
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/>	REWORK	<input type="checkbox"/>	SCRAP
<input type="checkbox"/>		<input type="checkbox"/>	USE-AS-IS
<input type="checkbox"/>		<input type="checkbox"/>	REPAIR
<input type="checkbox"/>		<input type="checkbox"/>	CONDITIONAL RELEASE *
1. Install water hammer arrestors where not installed for plumbing fixtures throughout BSL-3 Facility. Locate in permanently accessible area near access door in ceiling of Work Room# 114. 2. Relocate water hammer arrestors currently located in non-accessible area above Ante Room#110 to permanently accessible area near ceiling access door in Work Room# 114.			
WGI Representative: _____		Date: _____	
<b>DISPOSITION APPROVAL</b>			

**Corrective Actions Taken to Complete NCR Close-Out:**

YMC Representative:

Date:

**(IF applicable)**

N/A

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
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August 18, 2007

**Washington Group International**

720 Park Blvd.

Boise, ID 83729

208.386.5262

208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-005R – Relocate Hammer Arrestors Room #114/Room #110**

It has become apparent that some of the hammer arrestors are inaccessible and some do not exist as specified. During the investigation phase of this work, we did not identify the arrestors in Rooms #110 and #114.

This proposal includes installing new hammer arrestors in Room #114, relocating hammer arrestors in Room #110 (locate at accessible location) and insulating lines to said hammer arrestors.

All labor, miscellaneous materials, supervision and management included.

Total Price \$2,508.00

**Exclusions:**

Any work not mentioned above.

Work performed outside normal business hours.

No new access doors.

Respectfully,

Bill Graham

Valid for 30 Days



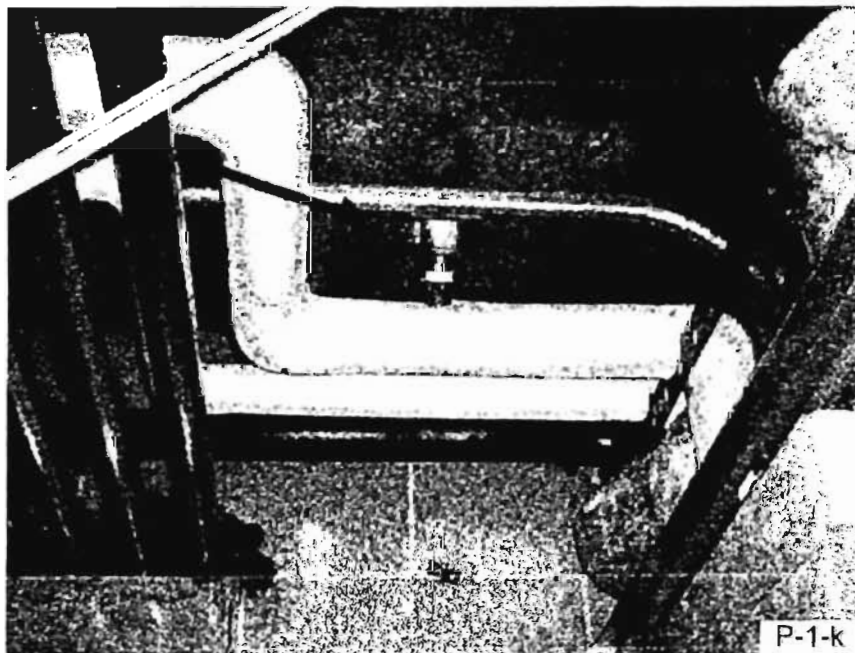
01092

WG1002127

DPW36520

P-1		7-23-07
Room #	Direction	8:40 a.m.
110	S	Size of pipe
Water Hammers Arrestors		

P-1-j



Photos 'j' and 'k': The water hammer arrestors above the ceiling were not accessible.  
Room 110.

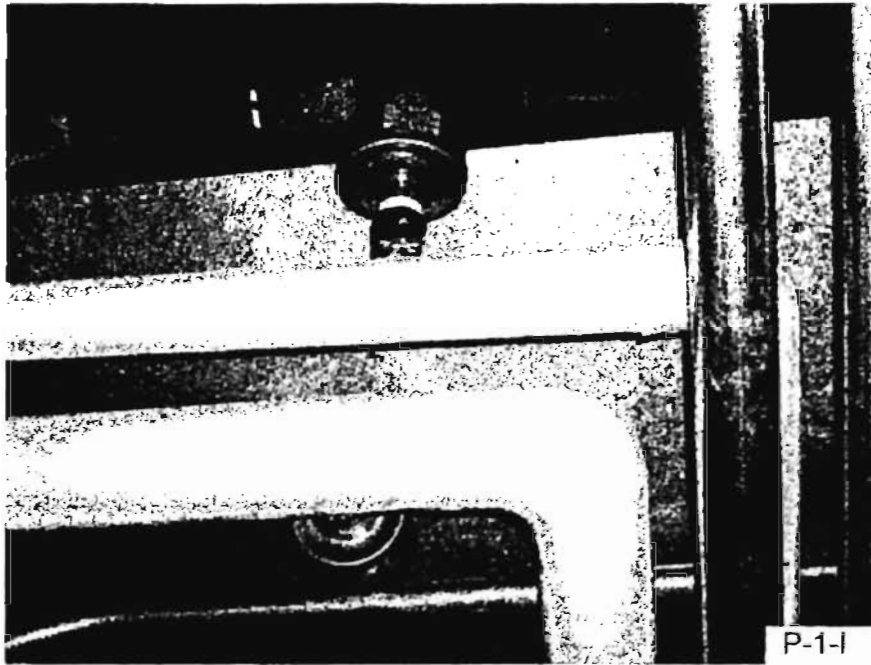


Photo 'I': The water hammer arrestors above the ceiling were not accessible. Room 110



**State of Idaho**  
**DIVISION OF PUBLIC WORKS**  
**NONCONFORMANCE**  
**RESOLUTION REPORT**  
**(N.C.R.R.)**

DPW PROJECT NO.  
06-350

CODE	AMOUNT
CC	\$ 20,038

To (Project Manager)

**Washington Group International**

DATE

1/18/08

Name and Location of Project

**Biosafety Level 3 Laboratory Improvements**  
**2220 Old Penitentiary Road, Boise, Idaho**

N.C.R. R.

# 09

Date

10/04/07

**FILE**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-033, NCR-1025	Relocate humidifiers H-1 and H-2 serving makeup air units MAU-1 and MAU-2 on Roof # 1 to a more suitable location, to bring them into conformance with the requirements specified on drawings M5.1 and M6.2, and further, to conform their installation to the minimum requirements of Neptronics, Inc, the manufacturer of the humidifiers, as specified in their installation instructions to ensure sustained satisfactory operation of their equipment.	
	YMC Proposal Request# PR-027	\$ 17,891.
	Washington Group Markup (12%)	\$ 2,147.
	Total Amount this Change	\$ 20,038.

RECEIVED

OCT 10 2007

PUBLIC WORKS

01095

Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 194,561.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,090,599.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 20,038.
Revised Contract Amount	\$ 2,110,637.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2 <i>Albert H. Munio</i>	Date <i>10/05/07</i>
PERFORMED BY YMC INC. Project #21426 <i>Steve Dean</i>	Date <i>10/10/07</i>
DPW FIELD REPRESENTATIVE <i>Jason Johnson</i>	Date <i>10/10/07</i>
DPW PROJECT MANAGER <i>James H. Hill</i>	Date <i>10/10/07</i>
APPROVED BY ADMINISTRATOR <i>[Signature]</i>	Date <i>11/18/08</i>

*EMH*  
*01/17/08*

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

**JUSTIFICATION FOR CHANGE**

**DPW Project  
No.**  
06-350

**N.C.R.R. No. 09**

As detailed in NCR-1025, humidifiers H-1 and H-2 were not installed in conformance with the installation requirements defined on drawings M5.1 and M6.2. As also described on NCR-1025, Neptronics Inc, the manufacturer of the humidifiers provided a list of minimum installation requirements in their installation instructions manual that they deem necessary to ensure that the humidifiers will properly operate and provide the capacity and performance catalogued in their literature. In addition to the deviations from the criteria specified on drawings M5.1 and M6.2, many of those minimum requirements of the equipment manufacturer were also ignored and were not addressed in the installation. As is documented in the correspondence files for DPW Project# 02-353, numerous difficulties were encountered during attempted startup of these humidifiers; likely because of the numerous installation errors that existed. It is therefore necessary to relocate and rework the installation of humidifiers H-1 and H-2 to remedy the existing installation errors and allow the equipment to perform as specified and as catalogued by the manufacturer.

Attachments: RFI-033, NCR-1025, YMC Proposal Request# PR-027 dated 10/03/07, Photographs P-5-a, P-5-b, P-5-c, P-5-d, P-5-e, P-5-f, P-5-g, P-5-h, P-5-i, P-5-j, P-5-k, P-5-l, P-5-m, and P-5-n; Neptronics manufacturer's recommendations from submittal literature provided and labeled 1025 A, 1025 B, and 1025C.

**01097**

**Nonconformance Report**  
**NCR No. 1025**

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	Neptronic SK300 humidification manual cut sheets	Date:	8/20/07
Specification Reference:	N/A	Drawing Reference:	Sheet M5.1 Sheet M6.2

**NONCONFORMANCE DESCRIPTION****Requirement:**

- 1) Humidifiers are to be installed with 3" vertical dimension on drain pan trap per Drawing Sheet M6.2, Detail 4.
- 2) Humidifiers are to be installed with condensate drain to slope.
- 3) Humidifiers are to be installed with 15 % minimum slope of the steam hose or pipe per manufacturers recommendations.
- 4) Humidifiers are to be installed with drain connectors with ¾" copper with 10" vertical dimension per manufacturer's recommendations.
- 5) Humidifiers are to be installed with pan drain connector in ½" copper with 10" vertical dimension per manufactures recommendations.
- 6) Humidifiers are not to be installed in locations where temperatures exceed 95 degrees per manufacturer's recommendations.
- 7) Humidifiers are to be installed 39"-48" above roof line per manufacturer's recommendations.
- 8) Humidifier box should not be modified after receipt from factory.

FORM 457-01 (MM)

**Deficiency:**

- 1) One humidifier is installed with 7" vertical and one humidifier is installed with less than 3" vertical dimension on trap. The unit with the +/-3" space between the humidifier box and the roof does not have a trap.
- 2) Condensate drains are both installed (one on each unit) but slope is insufficient to drain properly.
- 3) The slope on the steam line is less than 15% on both humidifiers.
- 4) See Item #1 above.
- 5) Pan drain does not exist on either unit.
- 6) Roof temperatures exceed 95 degrees on a regular basis at this location.
- 7) See Item #1 above.
- 8) Humidifier box has been modified (holes cut in panel)

Attachments: Photographs P-5-a, P-5-b, P-5-c, P-5-d, P-5-e, P-5-f, P-5-g, P-5-h, P-5-i, P-5-j, P-5-k, P-5-l, P-5-m, and P-5-n; Neprionics manufacturer's recommendations from submittal literature provided and labeled 1025 A, 1025 B, and 1025C.

Photo. ID#: (if applicable)		P-5-a, P-5-b, P-5-c, P-5-d, P-5-e, P-5-f, P-5-g, P-5-h, P-5-i, P-5-j, P-5-k, P-5-l, P-5-m, and P-5-n.		Video ID#: (if applicable)		N/A	
Cause:	Construction Deviation	X	Subcontractor Deviation		Supplier Deviation		

**RECOMMENDED DISPOSITION**

<input checked="" type="checkbox"/>	REWORK	<input type="checkbox"/>	SCRAP	<input type="checkbox"/>	USE-AS-IS	<input type="checkbox"/>	REPAIR	<input type="checkbox"/>	CONDITIONAL RELEASE *
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Modify and/or relocate the humidifiers as required to satisfy the recommendations/operating requirements of the humidifier manufacturer as well as the requirements of the drawings and specifications. Satisfactory operation of the humidifiers has been an ongoing problem that was never resolved during the initial start up attempts for this project; likely due largely to the deficiencies in the installation. Upon completion of the relocation/reinstallation of the humidifier, insulate the drain lines from the humidifiers to the point of termination as proposed by Mechanical Item# 10 in the Washington Group December 2005 Report (page 13). Insofar as the humidifiers will automatically initiate a drain cycle one or more times daily to minimize solids concentrations in the water and subsequent excessive scaling, there is potential for freezing and plugging due to the intermittent and iterative drain cycles during extended cold periods of winter. A closed cell polyurethane insulation with a weather resistant vinyl jacket is desired.

Wash. Gr. Representative:



Date: 1/05/07

**DISPOSITION APPROVAL**

01099

# Nonconformance Report

NCR No. 1025

## CLOSURE OF NCR

### Corrective Actions To Be Taken to Complete NCR Close-Out:

- 1) Relocate humidifiers to allow 10" vertical dimension on traps per manufacturer's recommendation.
- 2) Rework condensate lines to provide slope to allow proper drainage.
- 3) Provide a minimum of 15% slope on the steam line at new locations.
- 4) Install humidifiers between 39" and 48" above roof per manufacturer's recommendations.
- 5) Install pan drain per manufacturer's recommendations.
- 6) Provide cooled air from make up air unit (2" air supply line recommended by local manufacturers (Brent Robertson from Roberson's Supply) recommendations) to maintain a maximum of 95 degree temperature in humidifier.
- 7) See item #4 above.
- 8) Local manufacturer's representative (Brent Robertson from Robertson's Supply) states patching of the panel in the field will be required.

YMC Representative:



Date:

10/10/07

\*CONDITIONAL RELEASE

(IF applicable)

Justification:

N/A

Signatures if Conditional Release is applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

01100



**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

## Request for Information

ATTENTION

Al Munio

RFI No.: 033 (P-11)

Please disposition the following problems:

Engineering Discipline:	Plumbing	Date Issued:	8/18/07
Contract No.:	WGI 28431-2/YMC 21246	Date Closed:	10/03/07
Project Name:	Bio Lab #3	Response Needed Date:	8/27/07
Location:	2220 Penitentiary Road, Boise ID	Key Drawing/Spec:	Sheet M5.1

PROBLEM: Humidifiers on MAU's on Roof

TITLE: Humidifiers

REFERENCES: Sheet M5.1/Manufacturers Recommendations

LOCATION: Roof#1

DESCRIPTION:

The Humidifiers have a number of problems as follows:

- 1) Space below the humidifiers is not sufficient for required trap installation.
- 2) Drains from humidifiers are not sufficient to allow proper drainage.
- 3) Slope of steam hose/pipe is not sufficient (15% slope minimum required).
- 4) Pan drains are not provided per manufacturers recommendations.
- 5) Temperature on roof exceeds maximum allowed by the manufacturer.
- 6) Humidifiers are not located at height as required by the manufacturer.
- 7) Humidifier boxes have been modified (cut) during the previous installation.

We do have some of the required corrective work in our scope of work but the extent of the corrective actions that could be required by the issues listed above could result in additive costs.

Please let us know how you want us to proceed.

ORIGINATOR: Steve Dean, YMC

DATE: 8/18/07

RESOLUTION:	Design Change:	Yes	No	X	Design Change Review by:	Date:
					Al Munio	10/03/07

Modify and/or relocate the humidifiers as required to satisfy the recommendations/operating requirements of the humidifier manufacturer as well as the specifications. Satisfactory operation of the humidifiers was an ongoing problem that was never resolved during the initial start up attempts for this project; likely due largely to the deficiencies in the installation.

Wash. Gr. Representative/Date:	Al Munio/10/03/07	YMC Representative/Date:	
			10/10/07

01101



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

October 3, 2007

PR-027 – Remove and Relocate Humidifiers at Both MAU on Roof  
(Identified in RFI 033 and NCR 1025)

Investigate, Remove and Relocate/Reinstall Both Humidifiers at MUA Units in Compliance with  
Manufacturer Recommendations.

Problems created by improperly installed humidifiers that will be corrected:

- 1) Space below the humidifiers is not sufficient for required trap installation.
- 2) Drains from humidifiers are not sufficient to allow proper drainage.
- 3) Slope of steam hose/pipe is not sufficient (15% slope minimum required).
- 4) Pan drains are not provided per manufacturers recommendations.
- 5) Temperature on roof exceeds maximum allowed by the manufacturer.
- 6) Humidifiers are not located at height as required by the manufacturer.
- 7) Humidifier boxes have been modified (cut) during the previous installation.
- 8) Revise electrical connections.

All testing, labor, miscellaneous materials, supervision and management included.

Initial contract amount to relocate the humidifiers (from base contract) has been deducted from  
total amount.

Total Price \$17,891.00

Exclusions:

Any work not mentioned above.  
Work outside normal business hours.

Respectfully,

Bill Graham

Valid for 30 Days



01102



### 3.00 positioning and installation:

#### 3.10 general recommendations:

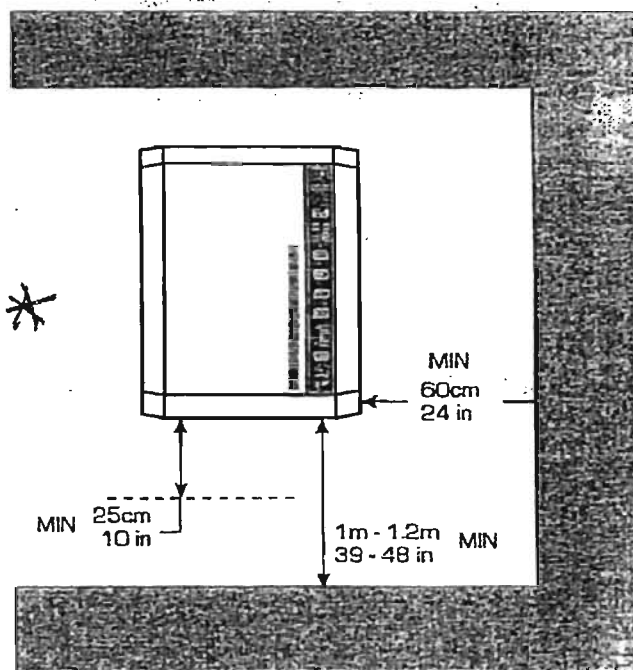
The humidifier should be installed in an easily accessible location to allow proper access for inspection and maintenance. The unit should never be installed in a location where an unusual malfunction of the unit can cause damage to the structure of the building, or to very expensive equipment. Typically, the total length of steam hose to the manifold should not exceed 5 meters (16 feet).

#### **IMPORTANT**

**FOR SAFETY REASONS, POWER MUST BE TURNED OFF AT THE EXTERNAL BREAKER WHILE INSTALLING THE UNIT AND BEFORE REMOVING OR DISCONNECTING ANY ELECTRONIC OR MECHANICAL COMPONENTS. FAILURE TO DO SO IS DANGEROUS AND WILL VOID THE WARRANTY.**

#### 3.20 positioning of SK300:

To facilitate service, the unit must be easily accessible from the front and right hand side. The unit is to be mounted on a wall using keyholes accessible from inside the mechanical compartment (see mounting holes dimensions section). The humidifier should be mounted between 1.0m (39 inches) and 1.2m (48 inches) above floor level. Leave a clearance of at least 25cm (10 inches) under the unit for installation of water supply, drain piping, and electrical connections. A clearance of at least 1.25m (50 inches) from the front of the unit and 60cm (24 inches) from the right hand side is necessary for comfortable access and service. The humidifier should be installed in a normally ventilated area, and ambient temperatures should not exceed 30°C (95°F).



(fig. #2)

#### 3.30 wall mounting:

The mounting of the humidifier on the wall is to be done by using the mounting keyholes accessible from inside the mechanical compartment. Before installation, remove the steam container as described in the maintenance instructions.

note: when marking pilot holes, make sure that the humidifier is level.

**NCR 1025 A**



### plumbing connections:

The SK300 humidifiers are independent of variable water conditions and can operate equally well with hard or soft water. Therefore, for normal operation, no pre-treatment of water is necessary.

### shut off valve:

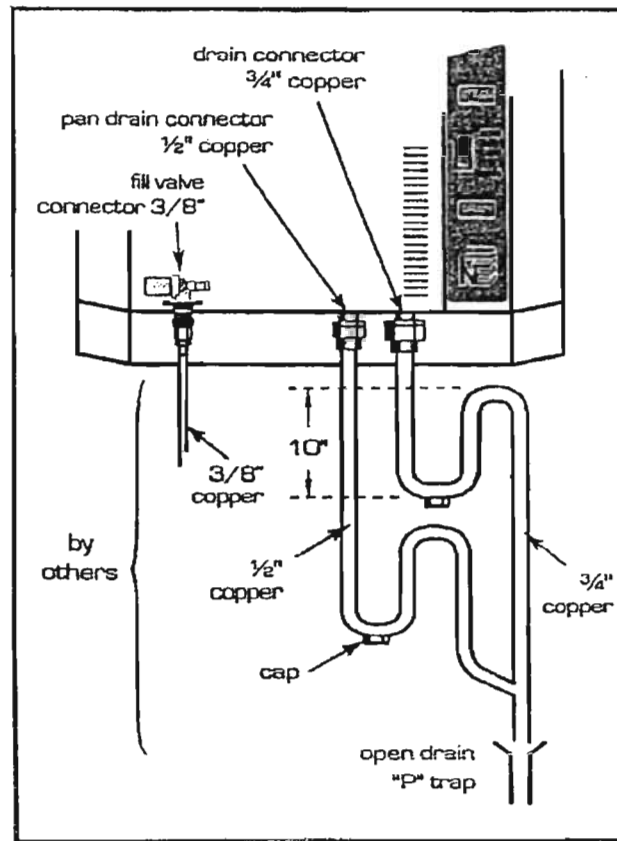
An isolating shut off valve should be fitted in the water supply line to the unit and installed close to the humidifier to facilitate servicing. It is recommended to install a standard water strainer in the water supply line.

### drain connection:

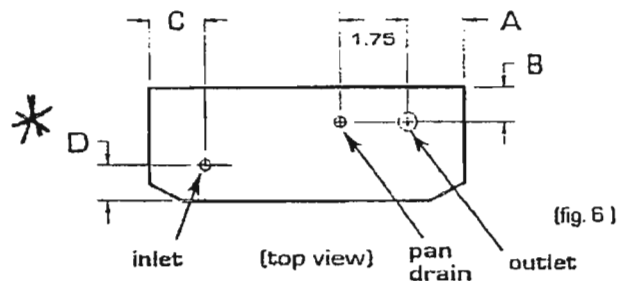
The outlet for the two drain connections is a copper connector on the underside of the unit. Standard copper pipe can be used to provide the connection between the unit and the two drain connectors.

Ensure proper drainage from the unit, especially if more than one unit is evacuating into the same drain line. The temperature rating on the drain must be 83°C (180°F) minimum.

Follow the drain detail drawing as shown on the right. All plumbing locations are shown in the drawing on the right. (fig. #6)



(fig. 5)



(fig. 6)

model	A	B	C	D
SK302, 304, 306	165mm 6 1/2"	51mm 2"	105mm 4-1/8"	60mm 2-3/8"
SK310, 314, 320, 330	184mm 7 1/4"	44mm 1 3/4"	105mm 4-1/8"	70mm 2-3/4"
SK340, 360	179mm 7"	44mm 1 3/4"	105mm 4-1/8"	70mm 2-3/4"

NCR 1025 B



### 5.10 installation of steam hoses and steam pipes:

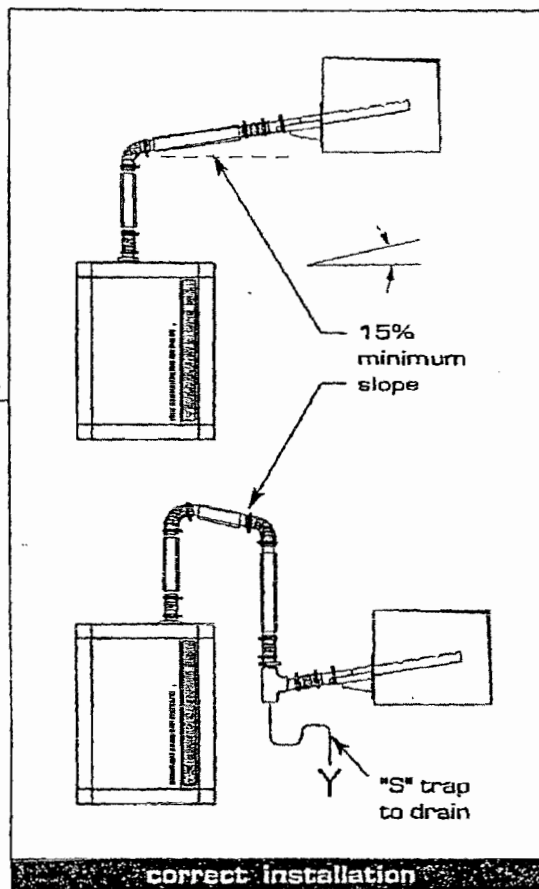
Follow these general rules when installing rigid copper piping or flexible hose to carry the steam from the humidifier to the steam distributors.

A) At no point of the installation should the slope of the steam hose or pipe be less than 15% which means 7 horizontal length to 1 vertical length. This is important to ensure continuous drainage of condensation back to the humidifier or to the steam trap.

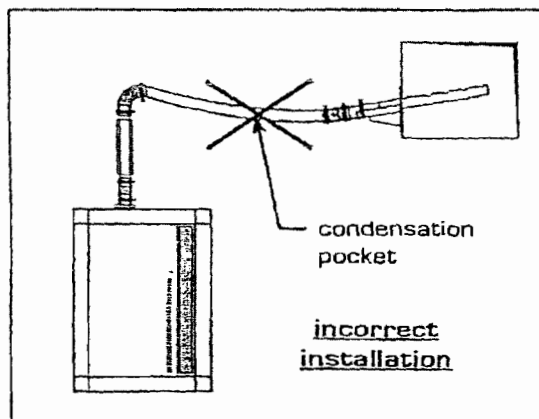
B) The lowest point of any steam hose or rigid pipe run must be the humidifier, or steam trap (S type). The "S" separator must have a trap higher than the static pressure of the system by at least 2 inches.

C) Total length of the steam hose, or rigid pipe should not exceed 5 meters (16 feet). Longer runs will result in added condensation losses. Whenever possible, use insulated copper piping. "Flexible" steam hose should be used for short runs (up to 5 meters) or for interconnecting between the rigid pipe runs.

D) Whenever using rigid copper pipe 1- 3/8" or 2-1/8" for larger units, use pipe insulation to diminish condensation build up.



(fig. #13)



(fig. #14)

NCR 1025 C

State of Idaho  
DIVISION OF PUBLIC WORKS  
**NONCONFORMANCE  
RESOLUTION REPORT  
(N.C.R.R.)**

DPW PROJECT NO.  
06-350

CODE	AMOUNT
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CC	\$20,572
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DATE	1/18/08
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To (Project Manager)

**Washington Group International**

Name and Location of Project

**Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho**

N.C.R. R.  
# **10**

Date  
10/05/07

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-034 NCR-1027R	Replace existing damaged wood doors with new hollow metal doors sized to fit existing frames. Reuse existing hinges and hardware. Provide new seals and gaskets. New metal doors to accommodate sensors and components of security and access system. Reuse and install existing vision lights in new hollow metal doors. Prime and paint doors, frames, and vision light frames with high performance coating.	
	YMC Proposal Request# PR-034	\$ 18,368.
	Washington Group Markup (12%)	\$ 2,204.
	Total Amount this Change	\$ 20,572.

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OCT 10 2007

PUBLIC WORKS

01106

Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 214,599.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,110,637.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 20,572.
Revised Contract Amount	\$ 2,131,209.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 10/05/07
PERFORMED BY YMC INC. Project #21426	Date 10/10/07
DPW FIELD REPRESENTATIVE	Date 10/10/07
DPW PROJECT MANAGER	Date 10/11/07 <sup>EMT</sup>
APPROVED BY ADMINISTRATOR	Date 1/22/08

01/17/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01107

# JUSTIFICATION FOR CHANGE

DPW Project  
No.  
06-350

N.C.R.R. No. 10

The existing wood doors are in poor condition, are warped, and are inadequately finished; especially on the top and bottom edges. If salvage were to be attempted, the necessary repairs and refinishing costs to restore them to the condition and quality required by specification sections 08211, 08710, and 08800, would likely exceed the cost to replace them. In addition, hollow metal doors are more commonly applied in BSL-3 laboratory facilities because they are less susceptible to damage and are more durable when subjected to frequent decontamination processes that are common to laboratory operations.

Attachments: RFI-034, NCR-1027R, YMC Proposal Request# PR-034dated1002/07, Photographs A-3-l, A-3-l1, A-3-m, and A-3-m1, A-4a, A-4-b, A-4-b1, A-4-c, A-4-c1, and A-4-d, A-3-p, A-3-p1, A-3-e, A-3-f, A-3-g, A-3h, A-3-i, A-3-j, A-3-k, A-3-a, A-3-a1, A-3-b, A-3-b1, A-3-c, A-3-c1, A-3-d, and A-3-d1, A-3-o, A-3-n and A-3-n1.

01108

**Nonconformance Report**  
**NCR No. 1027R**

Location:	BSL #3 Laboratory	Originator:	S. Dean
Reference (i.e. RFI/CCD):	RFI-034	Date:	8/16/07
Specification Reference:	Specification Section 08211, 08710, and 08800.	Drawing Reference:	N/A
<b>NONCONFORMANCE DESCRIPTION</b>			
<p>Requirement:</p> <ol style="list-style-type: none"> <li>1) Door laminate (facing) is not to have chips in the material or it is to be replaced per Specification Section 08211-5, 2.6, A.</li> <li>2) Electronic door sensors to be installed in doors per Specification Section 08710-1, a.2, A, 3, and Specification Section 08710-15, 3.3, B.</li> <li>3) Doors are to be sealed per Specification Section 08211-5, 2.6 A, 3 &amp; 4.</li> <li>4) Doors are to have a maximum allowable warp of 1/4" per Specification Section 08211-2, 1.7, A and a gap at head/jamb of 1/8" per Specification Section 08211-7, 3.2, C, 1.</li> <li>5) Doors are to have vision lights with no cracks or chips or they are to be replaced per Specification Section 08800-11, 3.5, D.</li> <li>6) Gasket seals are to be provided per Specification Section 08710-13, 2.10, A and if it is not functional, it is to be replaced by Specification Section 08710-15, 3.5, A.</li> <li>7) Door closure is to be provided by Specification Section 08710-11, 2.7 and if it is not functional, it is to be replaced by Specification Section 08710-15, 3.5, A.</li> </ol>			

FORM 457-01 (MM)

**Deficiency:**

- 1) Door laminate is chipped in several locations in the attached photographs A-3-l, A-3-l1, A-3-m, and A-3-m1.
- 2) Electronic doors sensor devices were not installed in Door #118A, Door #113A, and Door #112A as indicated on the attached photographs A-4-b, A-4-b1, A-4-c, A-4-c1, and A-4-d.
- 3) Door tops and bottoms (all wood doors) are not sealed as indicated in the attached photographs A-3-p, and A-3-p1.
- 4) Doors have excessive warp and gap as indicated in the attached photographs A-3-e, A-3-g, A-3-i, and A-3-k.
- 5) Door vision lights are broken and chipped in several locations (refer to attached photographs A-3-a, A-3-a1, A-3-b, A-3-b1, A-3-c, A-3-c1, A-3-d, and A-3-d1.
- 6) Gasket on Door #119B is damaged and needs to be replaced as indicated in the attached photograph A-3-o.
- 7) Door closure arm on Door #117A is damaged and needs to be replaced as indicated in photographs A-3-n and A-3-n1.

Attachments: Photographs A-3-l, A-3-l1, A-3-m, and A-3-m1, A-4a, A-4-b, A-4-b1, A-4-c, A-4-c1, and A-4-d, A-3-p, A-3-p1, A-3-e, A-3-f, A-3-g, A-3-h, A-3-i, A-3-j, A-3-k, A-3-a, A-3-a1, A-3-b, A-3-b1, A-3-c, A-3-c1, A-3-d, and A-3-d1, A-3-o, A-3-n and A-3-n1.

Photo. ID#: (if applicable)	See attachments listed above.	Video ID#: (if applicable)	N/A
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Cause:	Construction Deviation	x	Subcontractor Deviation		Design Deviation	
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**RECOMMENDED DISPOSITION**

REWORK	X	SCRAP	USE-AS-IS	REPAIR	CONDITIONAL RELEASE *
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Because the existing wood doors are in poor condition, their restoration to satisfactory condition compliant with specification sections 08211, 08710, and 08800 is doubtful. Therefore replace the doors with hollow metal doors of like dimensions. Reuse the existing door frames, hardware, and hinges. Reuse and install the existing vision lights into the new hollow metal doors. Provide new gaskets and seals. Incorporate provisions for doors sensors and security hardware. Clean, prime, and paint doors, frames, and vision light frames to match with high performance coating suitable for occasional exposure to chemical splashes and fumes, and frequent cleaning integral to laboratory decontamination processes.

Wash. Gr. Representative: \_\_\_\_\_

Date: 10/07/07

**DISPOSITION APPROVAL**

**01110**





Nonconformance Report  
NCR No. 1027R

CLOSURE OF NCR

Corrective Actions To Be Taken to Complete NCR Close-Out:

Existing wood doors will be replaced with hollow metal doors sized to fit existing frames. Existing hinges and hardware will be reused on new metal doors. Existing vision lights will be reused in new doors. Damaged units will be replaced. Doors will be painted with a high performance coating.

YMC Representative:

*Steven D. [Signature]*

Date:

10/10/07

\*CONDITIONAL RELEASE

(IF applicable)

Justification:

N/A

Signatures if Conditional Release is applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

**Request for Information**

ATTENTION

Al Munio

RFI No.:

RFI 034 (A/E 7)

Please disposition the following problems:

Engineering Discipline:	<u>Architectural</u>	Date Issued:	<u>8/13/07</u>
Contract No.:	<u>DPW 06-350</u>	Date Closed:	<u>10/05/07</u>
Project Name:	<u>BSL #3 Update</u>	Response Needed Date:	<u>8/27/07</u>
Location:	<u>All Wood Doors</u>	Key Drawing/Spec:	<u>See Below</u>

PROBLEM: Several issues regarding wood doors on the project.TITLE: Wood DoorsREFERENCES: See BelowLOCATION: All wood doors on the project.

## DESCRIPTION:

There are a number of issues that exist relative to the wood doors on the project.

1) Chips in door laminate; 2) electronic door sensors are missing in some doors; 3) doors are not sealed; 4) doors are warped and have excessive gap at heads and jambs; 5) vision lights are cracked and chipped on several of the doors; 6) gasket seal on door #119A is damaged; and 7) door closure on door #117A is damaged.

We will submit more detail on NCR 1027 which will specifically identify the issues noted.

Please review and provide correction direction as quickly as possible.

ORIGINATOR: Steve Dean, YMC Inc.DATE: 8/03/07

## RESOLUTION:

Design Change:

Yes

**X**

No

Design Change Review by:

Date:

Al Munio10/05/07

Replace the damaged and deficient existing wood doors with new hollow metal doors. Reuse the existing door frames, hinges, and hardware, including existing sensors and components of security/access control system. Reuse and install the existing vision lights into the new hollow metal doors. Prime and finish paint doors, frames, and vision light frames with high performance coating.

Wash. Gr. Representative/Date: Al Munio/10/05/07

YMC Representative/Date:

Steve Dean10/10/07**01112**



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

October 2, 2007

**PR-034 – Replace Wood Doors with Hollow Metal Doors**  
(To correct deficiencies noted in NCR 1027)

- 1) Provide hollow metal doors, sized per opening, with new smoke gaskets.
- 2) Remove hardware (hinges, closers, etc.) from existing wood doors and reinstall on hollow metal doors.
- 3) Remove and reinstall vision lights.
- 4) Prime and paint all doors and vision light frames with high performance paint.

All testing, labor, miscellaneous materials, supervision and management included.

**Total Price \$18,368.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

**No electrical revisions are included or anticipated.**

Respectfully,

Bill Graham

Valid for 30 Days



**01113**

**State of Idaho**  
**DIVISION OF PUBLIC WORKS**  
**NONCONFORMANCE**  
**RESOLUTION REPORT**  
**(N.C.R.R.)**

DPW PROJECT NO.  
06-350

CODE	AMOUNT
CC	\$18,595
DATE	1/18/08
N.C.R. R. # 11	Date 10/10/07

RECEIVED

JAN - 8 2008

PUBLIC WORKS

FILE

To (Project Manager)

**Washington Group International**

Name and Location of Project

**Biosafety Level 3 Laboratory Improvements**  
**2220 Old Penitentiary Road, Boise, Idaho**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-009, RFI-043R, NCR-1005	<p>1) Provide automated duct low point drain system for the 18" diameter exhaust duct system serving Exhaust Fans EF-1 and EF-2. Low point drains are located above Corridor Room# 120 and terminate near sink P1-4 in TB/Mycology Room# 118.</p> <p>2) Provide automated duct low point drain system for the 22" diameter exhaust duct system serving Exhaust Fans EF-3 and EF-4. Low point drains are located above Corridor Room# 120 and terminate near sink P1-4 in TB/Mycology Room# 118.</p> <p>3) Provide automated duct low point drain for the low point drain on the 22" diameter exhaust duct serving Exhaust Fans EF-3 and EF-4 and located above Primary Procedures Room# 113. Low point drain shall terminate in the basement mechanical room.</p> <p>4) Heat trace and insulate the condensate pots at the base of the vertical ducts serving EF-1 and EF-2 on the east wall of the penthouse to prevent accumulated condensate from freezing at 0 degrees F outdoor temperature.</p> <p>5) Replace and reroute the condensate drains from the autoclave hoods in Clinical Sample Storage Room# 107, TB/Mycology Room# 118, and Corridor Room# 120.</p>	
	YMC Inc. Proposal Request# PR-039	\$ 16,603.
	Washington Group Markup (12%)	\$ <u>1,992.</u>
	Total Amount this Change	\$ 18,595.

01114

Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 235,171.
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,131,209.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 18,595.
Revised Contract Amount	\$ 2,149,804
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 10/10/07
PERFORMED BY YMC INC. Project #21426	Date 10/16/07
DPW FIELD REPRESENTATIVE	Date 12/1-8/08
DPW PROJECT MANAGER	Date 01/17/08
APPROVED BY ADMINISTRATOR	Date 1/22/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

## JUSTIFICATION FOR CHANGE

DPW Project No.

06-350

N.C.R.R. No. 11

- 1) Because the 18" exhaust duct system is under negative pressure, any accumulated condensate is only drainable when exhaust fan EF-1 or EF-2 is not operating. The fans are designed to operate 24/7, with the only exception being the interval during scheduled weekly fan cycling, and its duration is less than 1 minute. That fan cycling should logically be scheduled to occur during normal periods of non-occupancy, at night or on weekends. An automated system is therefore warranted to evacuate the condensate during the brief intervals available during fan cycling, using normally closed solenoid valves. As stated in the resolution to NCR-1005, because the low point drains on the 18" exhaust duct are located upstream of the 2<sup>nd</sup> stage HEPA filters; normal operating protocol assumes that condensate is contaminated until proven clean by test. The termination of those drains therefore must be routed to the contaminated waste system for collection in the contaminated waste tank in the basement mechanical room. The most viable access point from their location above Corridor# 120 is near sink P1-4 in Room 118. The solenoid valve must be electrically interlocked to initiate the draining operation during cycling of fans EF-1 and EF-2. Manually operated ball type isolation valves will be installed near the duct drain point, upstream of the solenoid valve to allow isolation of the duct drains in the event the solenoid valve or downstream piping require service.
- 2) The condensate from the 22" exhaust duct is non-contaminated, but the duct system also operates under negative pressure, thus condensate can only be evacuated when exhaust fan EF-3 or EF-4 is not operating. The fans are intended to operate 24/7, with the only normally available down time occurring during the scheduled fan cycling, which is less than 1 minute in duration and will occur during a period of non-usage of the facility such as nights or weekends. An automated System using a normally closed solenoid valve therefore is also warranted for this 22" exhaust system. For the low point drains located above Corridor 120, economics and aesthetics dictate routing those drains to the same termination point as the 18" exhaust duct drains near sink P1-4 in Room 118. The solenoid valve for those drains should be electrically interlocked to initiate operation during cycling of fans EF-3 and EF-4. Manually operated ball type isolation valves should be located near the duct drain point, upstream of the solenoid valve to allow orderly maintenance of the solenoid valve and/or downstream piping, if needed..
- 3) As part of the exhaust system described in 2) above, the portion of the 22" exhaust system above Room 113 is also under negative pressure and can only be drained when fans EF-3 and EF-4 are not active. The low point drain for the 22" exhaust duct above Room 113 should be routed concealed above the ceiling and down the exterior wall to the basement mechanical room where a manual ball type isolation valve and a normally closed solenoid valve should be installed. Insofar as the condensate from the 22" exhaust duct is non-contaminated, the effluent from that drain can route to the sump in that mechanical room. The solenoid valve should be electrically interlocked with the solenoid valve for the 22" exhaust duct drains located above Corridor 120 to provide simultaneous operation.
- 4) Any condensate accumulation in the 18" exhaust duct systems downstream of HEPA Filter housings F-1 and F-2 will be non-contaminated, and, since only fan EF-1 or EF-2 will be operational, the system for the non-active fan will not be under negative pressure and can therefore be manually drained as part of a routine maintenance program. However, the duct system serving each fan is fairly extensive and because the laboratory area is humidified, significant quantities of condensate can accumulate when outdoor ambient temperature is below the dew point of the exhaust air (nominally 45 degrees F). At the same time, since the condensate will be drained from the inactive system, provisions must be included to prevent freezing of the accumulated condensate prior to its removal when outdoor ambient temperature is below 32 degrees F; hence heat tracing and insulating of the catch pots is warranted and necessary.
- 5) The existing drain piping from the autoclave hoods is copper tubing with no protective finish, and it is not routed in accordance with the criteria provided on drawing M2.2, Note 23. Rerouting the piping in a neat workman like manner as specified, and replacement of the piping with materials aesthetically conforming with the laboratory environment is warranted.

Attachments: NCR-1005, RFI-009, RFI-043R, YMC Proposal Request# PR-039 dated 10/5/07, ED-2-16a, ED-2-16b, ED-1-19a, ED-1-19b

## Nonconformance Report

NCR No. 1005

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	6/21/07
Specification Reference:	Section 15800 – 2.4-P	Drawing Reference:	N/A
<b>NONCONFORMANCE DESCRIPTION</b>			
<p><b>Requirement:</b></p> <p>1) SS Exhaust ducts (18" and 22") drain ports should have capability to drain condensation (Corridor Vest. #120) from ducts.</p> <p>2) Low Point of duct at turn to vertical (to run SS duct to Penthouse) should have a condensate drain installed.</p>			
<p><b>Deficiency:</b></p> <p>1) The drain ports are capped on both SS ducts in Corridor Vest. #120. Suggest drain line (connected to sink drain in Emergency Exit Room #119) with ball valve be installed to allow condensate drain as part of regularly scheduled maintenance. Size of trap will need to be engineered to allow drain during operation of exhaust system may have to be shut down to drain condensate.</p> <p>2) No drain port exists at the vertical turn of the SS duct to Penthouse. Suggest installing drain and connecting to drain described above.</p>			
Attachments: RFI-043R			
Photo. ID#: (if applicable)	ED-2-16a, ED-2-16b, ED-1-19a, ED-1-19b	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/>	REWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS
<input type="checkbox"/>		<input type="checkbox"/> REPAIR	<input type="checkbox"/> CONDITIONAL RELEASE *
<p>1) An automated drain system will be needed to allow draining of these 18" diameter duct low points located above Corridor Room# 120. Insofar as the duct system operates under constant negative pressure, the only time any accumulated moisture can be evacuated is when the system is non-operative. Because the system is designed to operate 24/7, the interval during weekly cycling of exhaust fans EF-1 and EF-2 is when drain down should normally occur. That cycle is expected to occur at night or on weekends, and will be less than 1 minute in duration; therefore a normally closed solenoid valve should be installed on the low point drains to automatically open when the active fan is deenergized. The solenoid valve should then close again before the formerly inactive fan is energized. Stainless steel nipples and ball valves should be installed upstream of the solenoid valve at each duct low point. A dielectric union can be installed</p>			



- downstream of the ball valves and copper tubing routed from the dielectric union to the termination point, which, per verbal field discussions, should be the contaminated waste system serving sink P1-4 in TB/Mycology Room# 118.
- 2) A drain port consisting of a stainless steel nipple with a stainless steel ball valve should also be installed at the low point of the 22" diameter duct located above Corridor Room# 120 that routes vertically through the penthouse to exhaust fans EF-3 and EF-4 on Roof# 3. Similar to what was specified above for the 18" diameter duct, a normally closed solenoid valve should be installed downstream of the ball valve, to open when the active fan is deenergized, and to close before the formerly inactive fan is energized. As above, a dielectric union can be installed downstream of the stainless steel ball valve and copper tubing routed from the union to the termination point in the contaminated waste system serving sink P1-4 in TB/Mycology Room# 118.
  - 3) A similar automated drain system is required for the low point drain in the 22" diameter duct located above the ceiling in Primary Procedures Room# 113. Because the low point itself is non-accessible, stainless steel pipe or tubing should be carefully graded and routed to the Mechanical Room in the Basement below, where a stainless steel ball valve should be installed, followed by a dielectric union and a normally closed solenoid valve. Operational control of that solenoid valve should be interlocked to parallel operation of the 22" duct low points located above Corridor Room# 120 and described in 2) above, to also allow draining of this low point in the interval during cycling of EF-3 and EF-4.
  - 4) The condensate catch pots at the base of each vertical rise to EF-1 and EF-2 on Roof# 3 at the east wall of the penthouse are located downstream of HEPA Filter Housings F-1 and F-2, thus are non-contaminated and do not require special disposal precautions. Since the branch to the inactive fan will also not be under negative pressure, a stainless steel nipple and manually operated stainless steel ball valve will allow draining as part of a routine maintenance program. However, because these catch pots are located outdoors and are therefore susceptible to freezing during cold weather, which would prevent draining, the pots must be heat traced and insulated to ensure that accumulated condensate remains liquid to allow removal. Heat trace/insulation design temperature should maintain 40 degrees F minimum condensate temperature at 0 degrees F outdoor ambient.

WGI Representative: \_\_\_\_\_

Date: 10/10/07

**DISPOSITION APPROVAL**



**Nonconformance Report**  
**NCR No. 1005**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

The low point duct drains and automated draining system described above in the areas of Rooms#113, 118, and 120 are being installed. The heat trace and insulation for the catch pots at the low points of the duct risers to EF-1 and EF-2 on Roof# 3 also are being installed.

YMC Representative:

*Steve [Signature]*

Date:

10/16/07

**\*CONDITIONAL RELEASE**

**(IF applicable)**

Justification:

N/A

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

**Request for Information**

ATTENTION Al Munio RFI No.: 009 (P-2)  
 Please disposition the following problems: PRIORITY No.: 5

(Priority: 1 = need to prevent work stoppage or schedule slip, 3 = req'd for work continuity, 5 = proj. schedule continuity, please respond appropriately).

Engineering Discipline: Plumbing Date Issued: 5/24/07  
 Contract No.: 28431-2/YMC #21426 Date Closed: 10/05/07  
 Project Name: State of ID Upgrade and Completion of BSL-3 Lab Response Needed Date: 6/24/07  
 Location: Autoclave Canopy Hood Key Drawing/Spec: Sheet M2.2, Note #23

PROBLEM: 3/4" drain location  
 TITLE: \_\_\_\_\_  
 REFERENCES: Drawing Sheet M2.2, Note #23  
 LOCATION: Rooms 107, 118, and 120  
 DESCRIPTION:

Existing 3/4" drain from autoclave canopy hood currently runs down the wall and drains into the counter sink.

The note on the drawing calls for it to be run down the wall (neat and clean) and into a floor sink.

Is the pipe to remain as installed in each of the lab. Spaces (at each autoclave unit)?

SUBCONTRACT NO.: ID7-28431-SC001 SUBCONTRACTOR: YMC, Inc  
 ORIGINATOR: Steve Dean DATE: 5/24/07

RESOLUTION:	Design Change	Yes	No	X	Design Leader: Al Munio	Date:
						10/05/07

Per earlier verbal accord, rework the existing drain piping to comply with the specified requirements on drawing M2.2, Note# 23. In Room # 118, conceal the piping within the wall and route to the termination point installed for the exhaust duct low point drains, near sink P1-4. In all cases, use materials for exposed piping aesthetically compatible with the Facility's furnishings.

CCN, NCR, Backcharge No.:		Apparent Cause:	
COST CODE:		FIELD PROJECT CONTROL MGR	Date:

APPROVED BY:  
 Project Engineer or Client Rep. Al Munio CHIEF CONSTRUCTION ENGINEER: \_\_\_\_\_ Date: 10/05/07

*10/19/07***01120**

**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

**Request for Information****ATTENTION****Al Munio****RFI No.: 043R (P-15)**

Please disposition the following problems:

Engineering Discipline:	Plumbing	Date Issued:	8/20/07R
Contract No.:	WGI 28431-2/YMC 21246	Date Closed:	10/05/07
Project Name:	Bio Lab #3	Response Needed Date:	8/25/07
Location:	2220 Penitentiary Road, Boise ID	Key Drawing/Spec:	Specification Section 15800-7, K, 4.
<b>PROBLEM:</b> Slope of Exhaust Ducts			
<b>TITLE:</b> Exhaust Duct Drains			
<b>REFERENCES:</b> Specification Section 15800,-7, K, 4.			
<b>LOCATION:</b> All exhaust ducts.			
<b>DESCRIPTION:</b>			

The Specifications require all exhaust ducts to be sloped back to the cabinets. The space restrictions between the structural members and the finish ceilings will not allow the ducts to be sloped back to the cabinets.

We have discussed installing duct drains for three locations in Corridor #120 (bottom of shaft and on the 18" and 22" duct).

We have discussed running the condensate drains back to Room #118, and installing a drain into the decontamination side of the sewer system.

We have also discussed installing an electronic solenoid valve at each location and tying them into the controls so they open when the duct is not in use to allow the condensate to drain.

Added 8/20/07: We will have an additional duct drain in the 22" Exhaust Duct in Room #113. It appears our only alternatives would be to run into the exterior wall and down to the mechanical room or to run exposed in the room over to the sink in the room.

Please provide direction and a schematic so that we can price the required work.

**This is VERY important as we are installing the exhaust ductwork at the current time.**

<b>ORIGINATOR:</b> Steve Dean, YMC				<b>DATE:</b> 8/18/07			
<b>RESOLUTION:</b>	Design Change:	Yes	<b>X</b>	No	Design Change Review by:	Date:	
					Al Munio	10/5/07	

Confirming verbal advices provided earlier, because both the 18" and the 22" exhaust ducts are under negative pressure, any accumulated condensate is only drainable when the exhaust fans are not operating. The fans for both systems are designed to operate 24/7, with the only exception being the interval during weekly fan cycling, and its duration is less than 1 minute. That fan cycling should logically be scheduled to occur during normal periods of non-occupancy, at night or on weekends. An automated system is therefore warranted to evacuate the condensate during the brief intervals available during fan cycling, using normally closed solenoid valves. Because the low point drains on the 18" exhaust duct are located upstream of the 2<sup>nd</sup> stage HEPA filters, normal protocol assumes that condensate is contaminated until proven clean by test. The termination of those drains therefore must be routed to the contaminated waste system. The most viable access point from their location is near sink P1-4 in Room 118. The solenoid valve should be electrically interlocked to initiate operation during cycling of fans EF-1 and EF-2. Manually operated ball type isolation valves should be installed near the duct drain point, upstream of the solenoid valve.

**01121**



## Washington Group International

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

The condensate from the 22" exhaust duct is non-contaminated, but for the low point drains located above Corridor 120, economics and aesthetics dictate routing those drains to the same termination point as the 18" exhaust duct drains near sink P1-4 in Room 118. The solenoid valve for those drains should be electrically interlocked to initiate operation during cycling of fans EF-3 and EF-4. Manually operated ball type isolation valves should be located near the duct drain point, upstream of the solenoid valve.

The low point drain for the 22" exhaust duct above Room 113 should be routed concealed above the ceiling and down the exterior wall to the basement mechanical room where a manual ball type isolation valve and a normally closed solenoid valve should be installed. The effluent from that drain can route to the sump in that mechanical room. The solenoid valve should be electrically interlocked with the solenoid valve for the 22" exhaust duct drains located above Corridor 120 to provide simultaneous operation.

For all exhaust duct drains, materials should be stainless steel from the duct through the isolation ball valves. A dielectric union can be installed downstream of the ball valve and copper tubing routed from the dielectric union through the solenoid valve to the termination point specified above.

Wash. Gr. Representative/Date: <i>AlMuhia</i> 10/05/07	YMC Representative/Date: <i>Steel</i> 10/16/07
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2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
**Attention: Mr. Al Munio**  
**Project: State of Idaho – Bio Safety Level 3 Lab**

October 5, 2007

**PR-039 – Provide New Duct Drains on Exhaust Ducts**  
**(Identified in NCR 1005)**

- 1) Cost includes new materials to install duct drains in Room #120, Room #118 and Room #113.
  - a. Cost also includes valves and controls required in the duct drains.
- 2) Cost also includes rerouting and replacing the drain pipe on the Autoclave Hood drains in Room #120, Room #118 and Room #107.

All testing, labor, miscellaneous materials, supervision and management included.

**Total Price \$16,603.00**

**Exclusions:**

**Any work not mentioned above.**  
**Work outside normal business hours.**

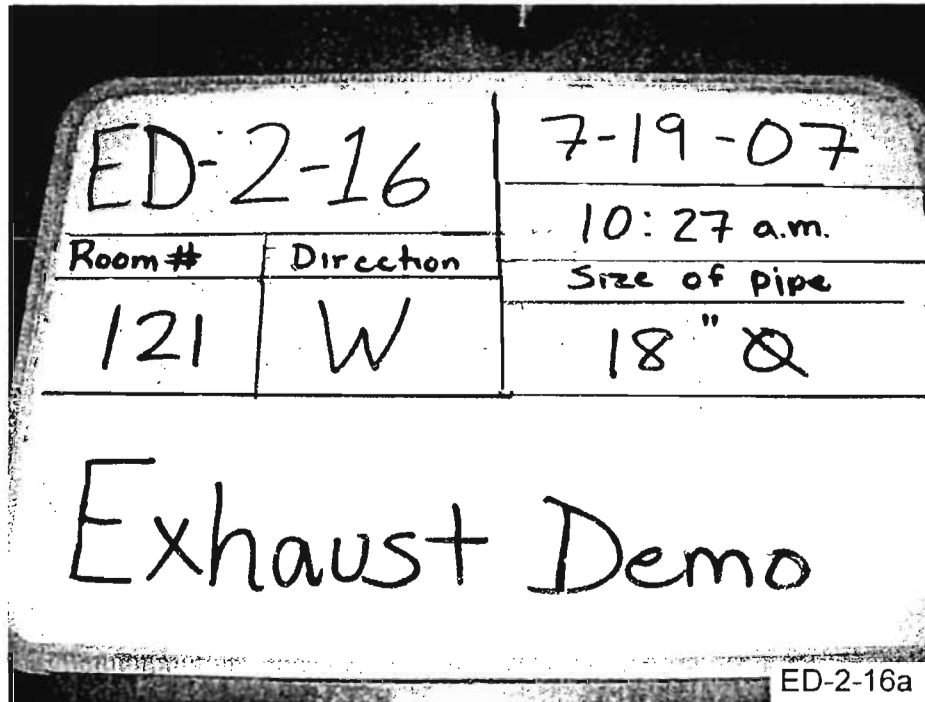
Respectfully,

Bill Graham

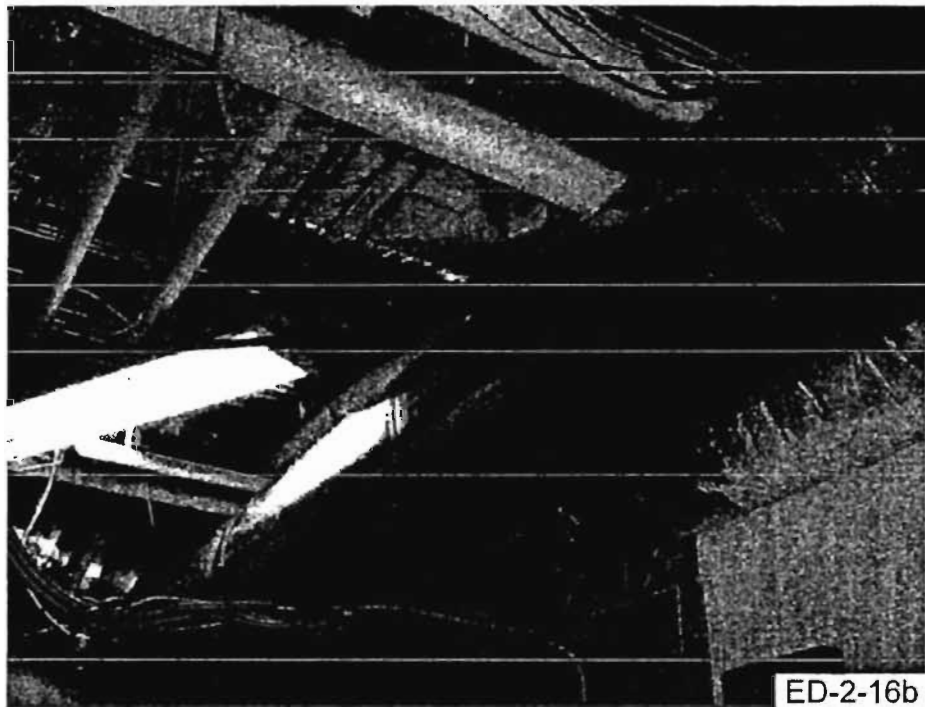
Valid for 30 Days



01123



Photograph 'ED-2-16a': Placard applying to photograph 'ED-2-16b'.



Photograph 'ED-2-16b': In place photograph of the 18" Stainless Steel exhaust duct in Room #121 (Corridor) before cutting and removal. The photograph was taken looking west.

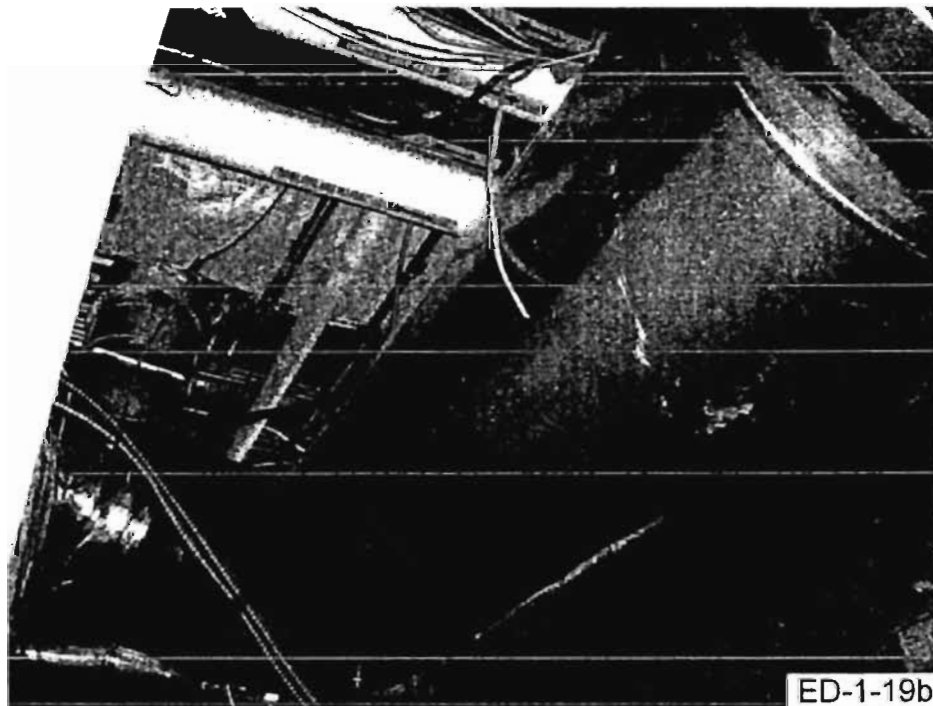
01124

ED-1-19		7-19-07
Room #	Direction	7:33 a.m.
121	E	Size of pipe
		22" Ø

# Exhaust Demo

ED-1-19a

Photograph 'ED-1-19a': Placard applying to photograph 'ED-1-19b'.



Photograph 'ED-1-19b': In place photograph the 22" Stainless Steel exhaust duct in Room #121 (Corridor) before removal. The photograph was taken looking east.

06-350 BSL-3

## Noncompliant Compliant Reports

WGI's contract to date (Incorporates NCR 1 thru 5)

Authorized Funding	Outstanding Costs	Total Project Cost	Timing Priority
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\$ 1,962,005

YMC's work already complete to date (incorporated into NCR 6 thru 30)

NCR 6 thru 30 completion

NCR 31 - Additional gypsum board, paint &amp; possibly floors

NCR 32 - Completing project.

Additional funding required to complete project

\$	225,000	2
\$	183,256	3
\$	230,000	1
\$	91,200	4
\$	729,456	

**Total Project Cost**

\$ 2,691,461



**State of Idaho  
DIVISION OF PUBLIC WORKS  
NONCONFORMANCE  
RESOLUTION REPORT  
(N.C.R.R.)**

DPW PROJECT NO.  
06-350

CODE	AMOUNT
------	--------

CC	\$4,116
----	---------

DATE	1/30/08
------	---------

To (Project Manager)

**Washington Group International**

Name and Location of Project

**Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho**

N.C.R. R.

# 12

Date

1/22/08

**FILE**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
NCR-1002	Furnish and Install new 16" x 16" smoke damper in existing supply duct at penetration of BSL-3 fire wall between Corridor# 120 and TB/Mycology Lab# 118. Smoke damper to be monitored and activated by an area smoke detector located on the ceiling of Corridor# 120.	
	YMC Proposal Request# PR- 029	\$ 3,675.
	Washington Group Markup (12%)	\$ 441.
	Total Amount this Change	\$ 4,116.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 253,766.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,149,804.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 4,116.
	Revised Contract Amount	\$ 2,153,920.

**RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2**

Date

01/22/08

**PERFORMED BY YMC INC.**

**Project #21426**

Date

1/28/08

**DPW FIELD REPRESENTATIVE**

Date

1-28-08

**DPW PROJECT MANAGER**

Date

01/29/08

**APPROVED BY ADMINISTRATOR**

Date

1/29/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

## JUSTIFICATION FOR CHANGE

DPW Project No.  
06-350

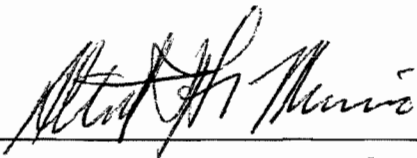
N.C.R.R. No. 12

Beginning with the 1997 Uniform Building Code and the 2000 International Building Code, smoke dampers are required in rated separation walls between occupancies and egress areas where there are inlets or outlets in both areas, such as the existing supply air duct serving the existing laboratory area immediately east of TB/Mycology Lab# 118 and Corridor# 121. In accordance with the original design documents, that supply air duct should not have entered the BSL-3 Facility area, but apparently was rerouted to alleviate an interference or obstruction. The rerouted location penetrated the fire rated wall between Corridor# 121 and TB/Mycology Lab# 118. Insofar as that duct system includes outlets in Corridor# 121 as well as the existing laboratory, a smoke damper and smoke detector must be installed to comply with UBC and IBC requirements. As reflected on photographs A-16-a and A-16-b no smoke damper was installed nor were the ducts adequately fire caulked at their penetration of the fire wall.

Attachments: NCR-1002, YMC Proposal Request# PR-029 dated 01/15/08, Photographs A-16-a, A-16-b

01128

# **Nonconformance Report** **NCR No. 1002**

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	2003 IBC	Date:	6/15/07
Specification Reference:		Drawing Reference:	M4.2
<b>NONCONFORMANCE DESCRIPTION</b>			
<p><b>Requirement:</b></p> <p>Building Code requires smoke damper in duct that passes through a rated fire wall with service to spaces on both sides of the wall.</p>			
<p><b>Deficiency:</b></p> <p>The supply duct that runs from through Room #118 from Corridor #120 to serve the existing laboratory immediately east of the BSL-3 Facility does not contain a smoke damper where it passes through the rated wall.</p>			
<p><b>Attachments:</b></p>			
Photo. ID#: (if applicable)	A-16-a,b	Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/> RWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS	<input type="checkbox"/> REPAIR
<b>CONDITIONAL RELEASE *</b>			
<p>Furnish and install a new smoke damper in the duct at its penetration of the rated fire wall. Also furnish and install an area type smoke detector on the ceiling of Corridor# 120 to activate the smoke damper.</p>			
WGI Representative: Al Munio			
		Date: 01/22/08	

01129

**Nonconformance Report**  
**NCR No. 1002**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

A 16" x 16" smoke damper has been installed in the duct and an area type smoke detector have been installed in Corridor#120 as requested to bring the installation into compliance with IBC requirements.

YMC Representative:

Date:

**\*CONDITIONAL RELEASE**  
**(IF applicable)**

Justification:

**Not Applicable**

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**01130**



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

January 15, 2008

**Washington Group International**

720 Park Blvd.

Boise, ID 83729

208.386.5262

208.386.7050 Fax

Attention: Mr. Al Munio

Project: State of Idaho – Bio Safety Level 3 Lab

**PR-029 – Provide Smoke Detector and Area Detection for Rated Wall @ Room #118/#120  
(Identified in NCR 1002)**

**PROBLEM:** Existing one hour rated wall has a supply air duct passing through it and no smoke or fire sensors/fire dampers exist in the duct.

**SOLUTION:** Provide smoke damper in duct at common wall between Room #118 and Room #120 and provide area detection to comply with Code Requirements. (Smoke Damper was approved and recommended by State Architect.)

All testing, labor, miscellaneous materials, supervision and management included.

No time impact.

Total Price \$3,675.00

**Exclusions:**

Any work not mentioned above.

Work outside normal business hours.

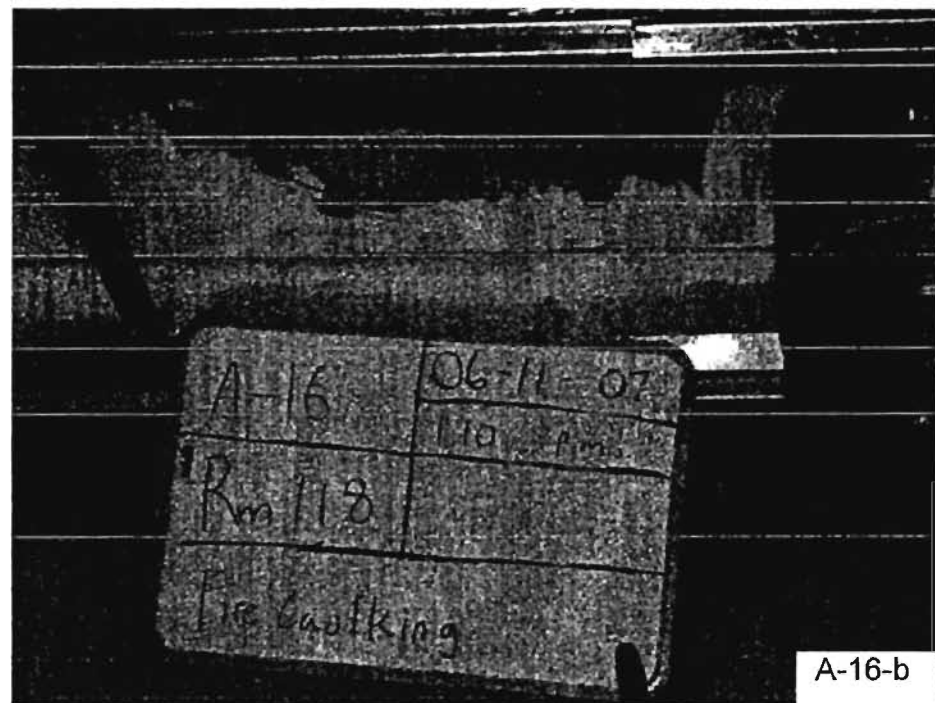
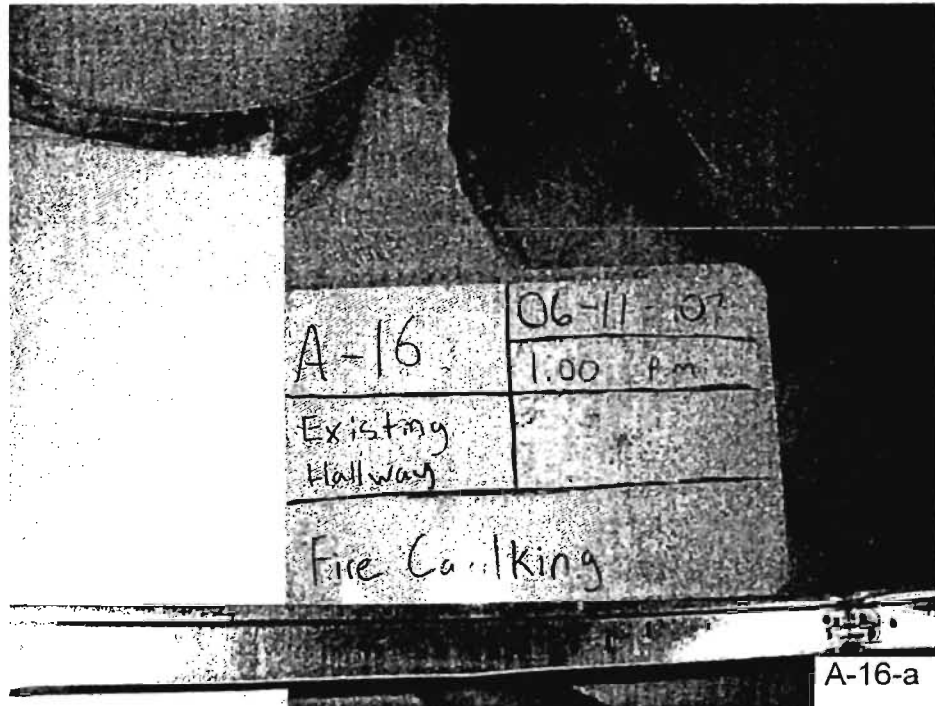
Respectfully,

Bill Graham

Valid for 30 Days



**01131**



Photos 'a' and 'b': Ventilation ducts that were fire caulked. (Photo 'a' on West wall above the autoclave in Corridor 121, photo 'b' on East wall above the Baker cabinet).



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JAN 29 2008  
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2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

**TO: State of Idaho**  
**Division of Public Works**  
**Project #06-350**  
✓ **Attn: Jason Schwenson**

**January 28, 2008**

**Re: Bio Safety Lab #3 Update**

From: YMC, Inc.  
Steve Dean

Dear Jason:

- 1) Please find attached NCRR #12 which is ready for DPW review and signature.
- 2) Also included is a disc with Room #107 photographs.

Please review the documents and let us know if you have any questions.

Tx!

Steve Dean  
Project Manager, YMC Inc.



RECEIVED  
JAN 31 2008  
PUBLIC WORKS

State of Idaho DIVISION OF PUBLIC WORKS <b>NONCONFORMANCE          RESOLUTION REPORT          (N.C.R.R.)</b>		DPW PROJECT NO. 06-350	
		CODE CC	AMOUNT \$18,323
To (Project Manager) <b>Washington Group International</b>		DATE 2/6/08	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements          2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R. R. # 13	Date 01/29/08

FILE

**THE CONTRACT IS CHANGED AS FOLLOWS:**

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
NCR-1003,	Remove access door in wall of Room# 117 and relocate DI piping and valves to ceiling space of Room# 114. Locate near existing access panel or provide new access panel in ceiling of Work Room# 114 to provide permanent access to DI water piping valves.	
NCR-1008,	The water piping serving plumbing fixtures in Primary Procedure Room# 113, BAC-T Virology Lab# 117, and TB/Mycology Lab# 118 was reconfigured under NCR-1015R to relocate water hammer arrestors into the ceiling space above Work Room# 114. Under this NCR-1008, provide additional access doors in ceiling of Work Room# 114 to allow permanent access to water hammer arrestors as required by the International Plumbing Code.	
NCR-1009	The ceiling access doors installed in the ceiling of Clinical Sample Storage Room# 107 and Work Room# 114 do not meet the specified criteria for construction or air leakage. Remove and replace those access doors in the ceilings of Clinical Sample Storage Room# 107 and Work Room# 114 with doors that comply with specified criteria.	
	YMC Purchase Requisition# PR-028	\$ 2,575.
	YMC Purchase Requisition# PR-047	\$ 13,785.
	Subtotal	\$ 16,360.
	Washington Group Markup (12%)	\$ 1,963.
	Total Amount this Change	\$ 18,323.

01134



Original Contract Amount	\$ 1,896,038.
Net Change by Previous Non Conformance Item(s)	\$ 257,882. ✓
Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,153,920.
Net increase in Contract Amount with this N.C.R.R. Item	\$ 18,323.
Revised Contract Amount	\$ 2,172,243.
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2	Date 01/29/08
PERFORMED BY YMC INC. Project #21426	Date 1/29/08
DPW FIELD REPRESENTATIVE	Date 1/31/08
DPW PROJECT MANAGER	Date 02/04/08
APPROVED BY ADMINISTRATOR	Date 2/5/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01135

## JUSTIFICATION FOR CHANGE

DPW Project No.

06-350

N.C.R.R. No. 13

NCR-1003 – The wall access door installed doesn't meet specification requirements for materials of construction nor does it meet the specified air leakage requirements. Further, the door location in the wall of BAC-T Virology Lab# 117 compromises the enclosure integrity of the wall membrane. Relocation of the DI water piping and its integral valving to the ceiling area above Work Room# 114 improves accessibility for maintenance and restores the membrane integrity of Room# 117.+

NCR-1008 – The International Plumbing Code requires that water hammer arrestors be installed in permanently accessible locations for inspection and maintenance over their usable life, and to allow replacement in the event of malfunction. The existing water piping installation had randomly located water hammer arrestors above the ceiling of Primary Procedure Room# 113, BAC-T Virology Lab# 117, and TB/Mycology Lab#118 without regard to access for service and maintenance. A critical design criterion was that no access panels be installed in the ceilings of the laboratory rooms. The water piping was therefore reconfigured under NCR-1015R to locate the water hammer arrestors into the ceiling space above Work Room# 114, where they could be permanently accessed either from existing access panels or additional access panels could be located to allow access. The required additional access panels in the ceiling of Work Room# 114 are addressed under this NCR-1008.

NCR-1009 – Specification Section 08305-2.3 provides construction parameters applicable to the ceiling access panels including maximum air leakage of 0,50 CFM per linear foot of crack length. The existing panels did not meet the specification criteria and were devoid of published leakage test data. The existing doors will be replaced with new doors compliant with the specification criteria including allowable leakage, as will the new doors identified in NCR-1003 and NCR-1008 above.

Attachments: NCR-1003, NCR-1008, NCR-1009, YMC Proposal Request# PR-028 dated 09/14/07, YMC Proposal Request# PR-047 dated 01/29/08, Photographs P-1-a through P-1-l,

01136



Nonconformance Report

NCR No. 1003

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	6/18/07
Specification Reference:	08305, 2.3	Drawing Reference:	
<b>NONCONFORMANCE DESCRIPTION</b>			
<b>Requirement:</b> Access doors to be Stainless Steel with air leakage not to exceed 0.50 cfm per Specification Section 08305, 2.3.			
<b>Deficiency:</b> Access door placed on exterior wall of Room #117 is not stainless steel, and does not appear to comply with the air leakage requirement as it appears standard grade weather-stripping has been applied at perimeter of door.			
<b>Attachments:</b>			
Photo. ID#: (if applicable)		Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/> Rework	<input type="checkbox"/> Scrap	<input type="checkbox"/> Use-as-is	<input type="checkbox"/> Repair
<input type="checkbox"/> Conditional Release *			
Revise the DI water piping system routing to relocate the piping and its integral valving to an accessible location above the ceiling of Work Room#114. Locate near an existing access door or provide an additional access door in the ceiling of Work Room# 114 to allow access to the DI valves as required. Remove the non-compliant wall access door and repair the wall to match the existing adjacent surfaces.			
WGI Representative: Al Munio		Date: <u>6/22/08</u>	



CLOSURE OF NCR			
Corrective Actions Taken to Complete NCR Close-Out:			
DI water piping was reconfigured and rerouted to locate isolation valves into the ceiling space of Work Room# 114, A new access door was located to provide permanent access to the relocated valves.			
YMC Representative:		Date:	
<b>*CONDITIONAL RELEASE</b> <b>(IF applicable)</b>			
Justification:			
<b>Not Applicable</b>			
WGI Representative: _____		Date: _____	
YMC Representative: _____		Date: _____	
DPW Representative: _____		Date: _____	



**Nonconformance Report**  
**NCR No. 1008**

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	International Plumbing Code	Date:	6/22/07
Specification Reference:		Drawing Reference:	
<b>NONCONFORMANCE DESCRIPTION</b>			
<p><b>Requirement:</b></p> <p>Provide access door where equipment/valving/etc. require future service.</p>			
<p><b>Deficiency:</b></p> <p>In the ceiling of Room #118, there are four (4) hammer knock arrestors which need an access door or perhaps they could be relocated.</p>			
<p><b>Attachments:</b></p>			
Photo. ID#: (if applicable)	P-1-a,b,c,d,e, f, g, h, i, j, k, l,	Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/> RWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS	<input type="checkbox"/> REPAIR
<input type="checkbox"/> CONDITIONAL RELEASE *			
<p>The water piping was reconfigured as required to relocate all water hammer arrestors presently located above inaccessible ceilings to the ceiling space above Work Room# 114 where permanent access can be provided in compliance with International Plumbing Code requirements. Provide new ceiling access panels where and if required to access the relocated water hammer arrestors. Access panels shall comply with the requirements of specification section 08305-2.3.</p>			
WGI Representative: Al Munio			
		Date: <u>01/22/08</u>	

**Nonconformance Report**  
**NCR No. 1008**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

Water piping has been rerouted to locate water hammer arrestors in ceiling space above Work Room#114. New access panels have been located where required to ensure access to water hammer arrestors.

YMC Representative:

Date:

**\*CONDITIONAL RELEASE**

**(IF applicable)**

Justification:

**Not Applicable**

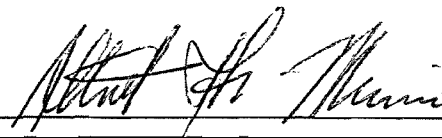
WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**Nonconformance Report**

NCR No. 1009

Location:	Bio Safety Lab #3			Originator:	S. Dean		
Reference (i.e. RFI/CCD):	N/A			Date:	6/22/07		
Specification Reference:	Section 08305-2.3			Drawing Reference:			
<b>NONCONFORMANCE DESCRIPTION</b>							
<b>Requirement:</b> Provide access door where equipment/valving/etc. require future service.							
<b>Deficiency:</b> The access doors provided in the facility are not per the approved submittal. No tags or marking exist n the access doors, however they contain a lip where it appears a surface applied weather stripping was installed. The approved submittal does not indicate a lip or seal on the unit.							
<b>Attachments:</b>							
Photo. ID#: (if applicable)				Video ID#: (if applicable)			
Cause:	Construction Deviation	X	Subcontractor Deviation		Supplier Deviation		
<b>RECOMMENDED DISPOSITION</b>							
X	REWORK		SCRAP		USE-AS-IS		REPAIR
							CONDITIONAL RELEASE *
Replace existing access panels in ceilings with new units conforming to the requirements specified in specification section 08305-2.3							
WGI Representative: Al Munio  Date: <u>01/22/08</u>							

**Nonconformance Report**  
**NCR No. 1009**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

New access panels meeting the specified criteria and air leakage requirements are being installed to replace the existing deficient units.

YMC Representative: \_\_\_\_\_

Date: \_\_\_\_\_

**\*CONDITIONAL RELEASE**  
**(IF applicable)**

Justification:

**Not Applicable**

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_





2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

September 14, 2007

**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax  
**Attention: Mr. Al Munio**  
**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-028 – Reroute DI Piping in Room #117 and Eliminate Existing Access Door  
(Identified in NCR 1003)**

**PROBLEM:** Existing access door in Room #117 does not comply with the Specifications.

**SOLUTION:** Remove access door and valving in DI piping in Room #117. Reroute DI piping and provide valves in accessible location above ceiling in Room #114.

All testing, labor, miscellaneous materials, supervision and management included.

No time impact.

Total Price \$2,575.00

**Exclusions:**

Any work not mentioned above.

Work outside normal business hours.

Respectfully,

Bill Graham

Valid for 30 Days



01143



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
**Attention: Mr. Al Munio**  
**Project: State of Idaho – Bio Safety Level 3 Lab**

January 29, 2008

**PR-047 – Provide Replacement Access Doors in Laboratories**

Provide new access doors which comply with the Specifications (units will not have specified locks in order to provide air displacement requirements).

**Total Price: \$13,785.00**

**Exclusions:**

**Any work not mentioned above.**  
**Work outside normal business hours.**

Respectfully,

A handwritten signature in cursive script that reads 'Bill Graham'.

Bill Graham

Valid for 30 Days



01144

**BIOSAFETY LEVEL 3 LABORATORY  
PHOTO DOCUMENTATION OF EXISTING CONDITIONS**

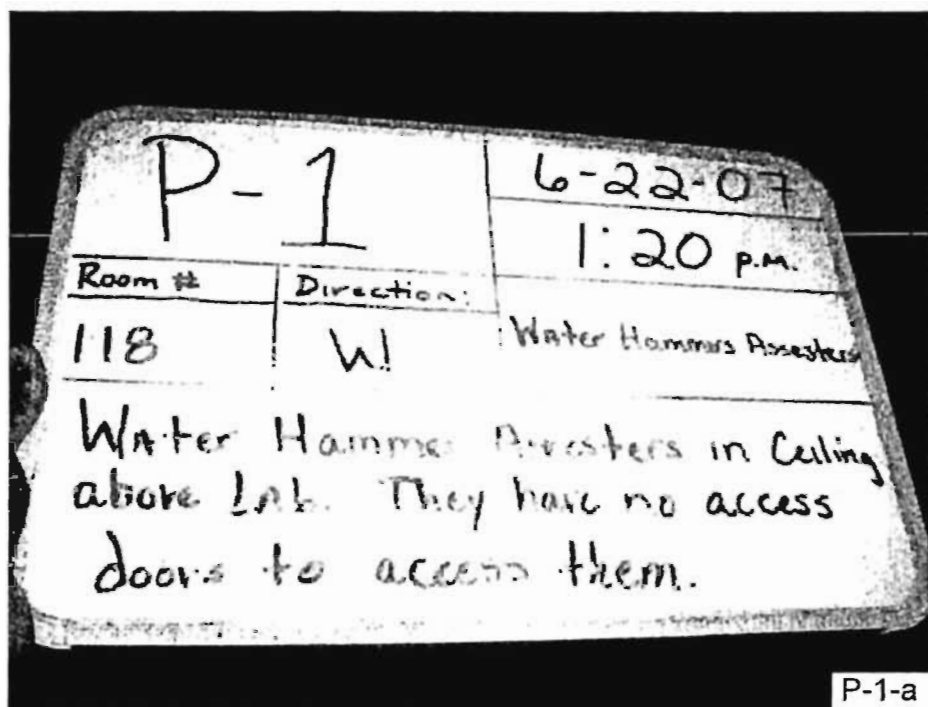
**P-1**

Water Hammer Arrestors

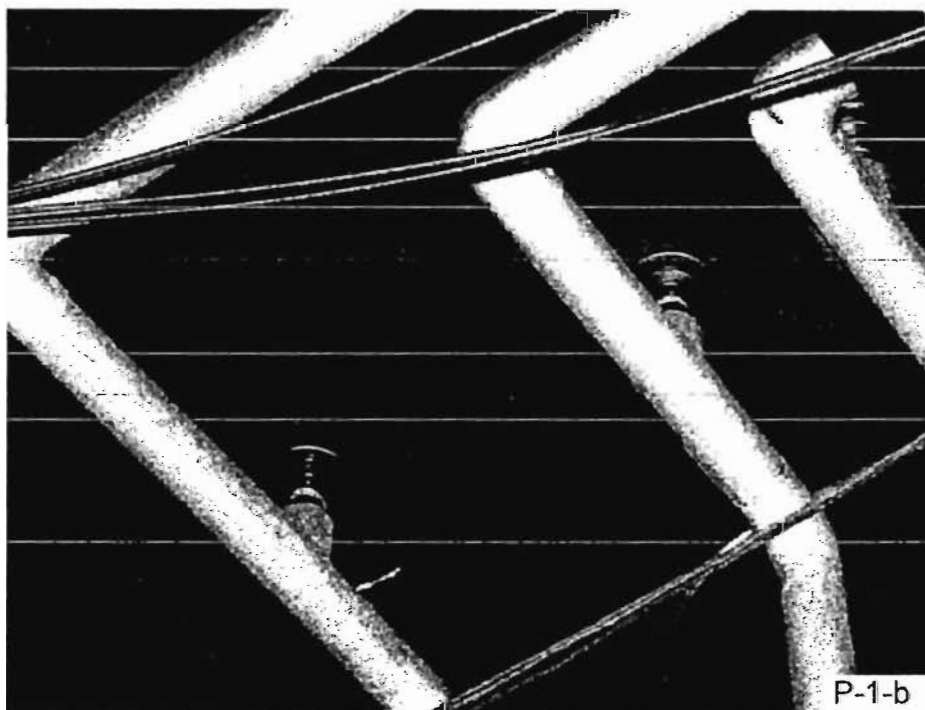
Photo series: **a, b, c, d, e, f, g, h, i, j, k, l**

6-26-07

These pictures depict the water hammer arrestors in different rooms of the Laboratory spaces. They were above a hard lid and were not accessible through access doors (arrestors require access). The pictures were taken after the ceiling had been removed.

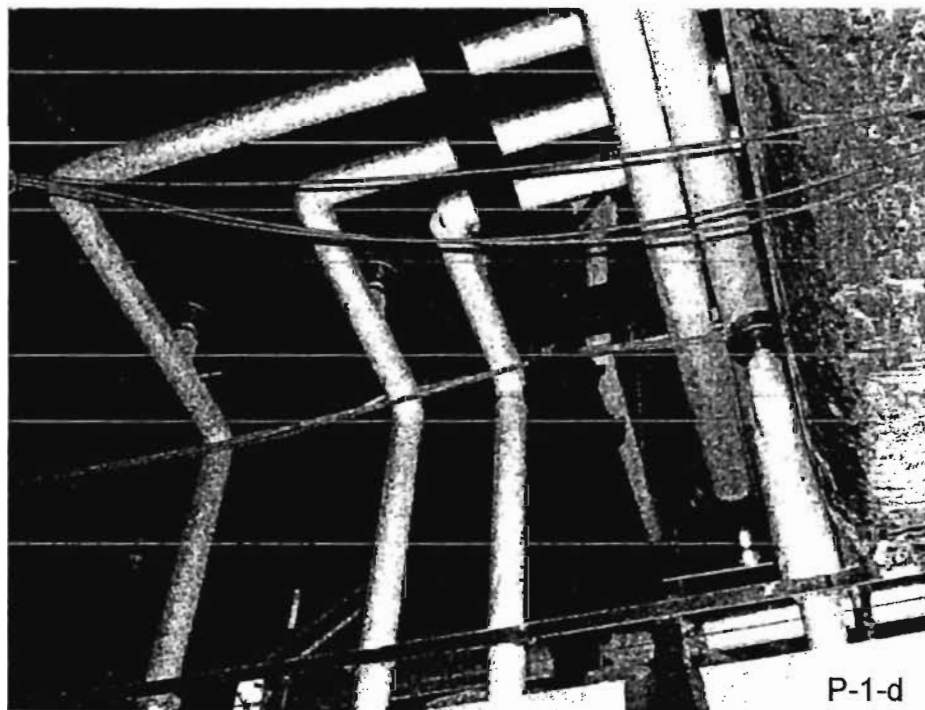
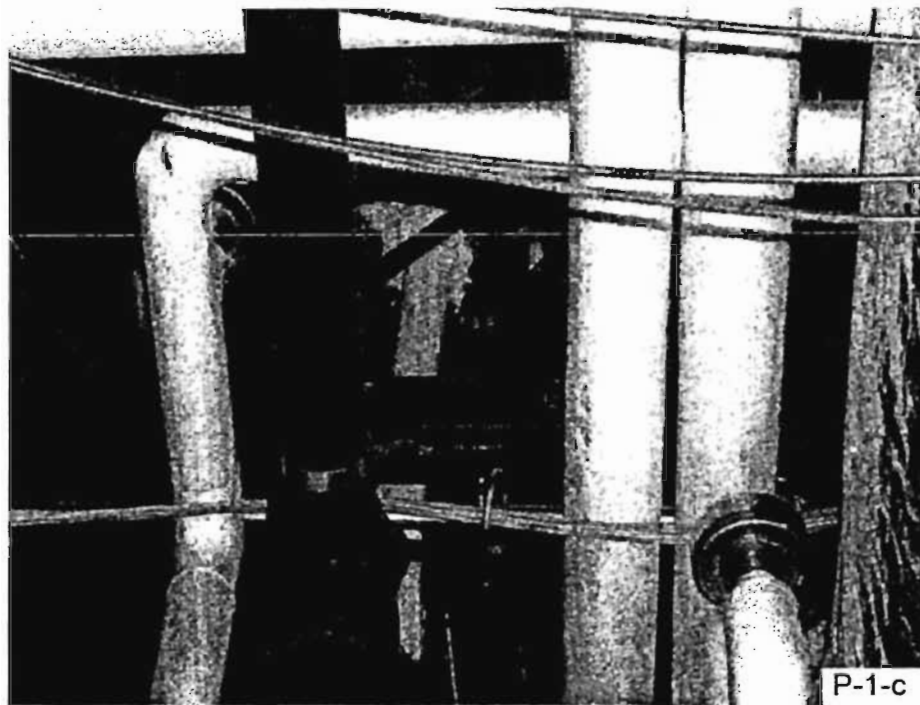


P-1-a

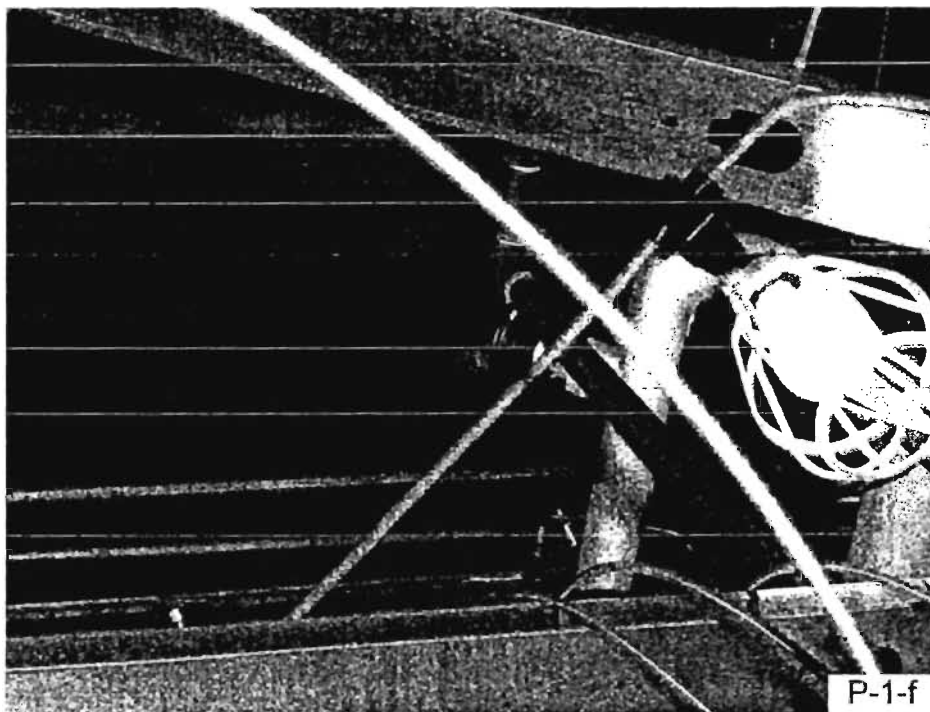
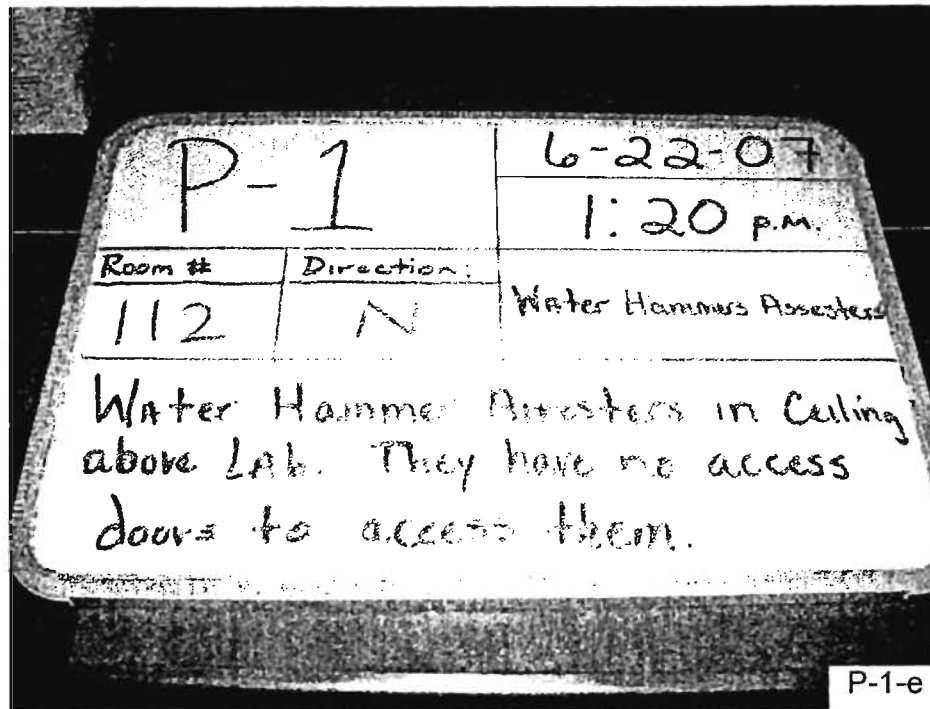


P-1-b

Photos 'a' and 'b': The water hammer arrestors above the ceiling were not accessible.



Photos 'c' and 'd': The water hammer arrestors above the ceiling were not accessible.  
Room 118.



Photos 'e' and 'f': The water hammer arrestors above the ceiling were not accessible.

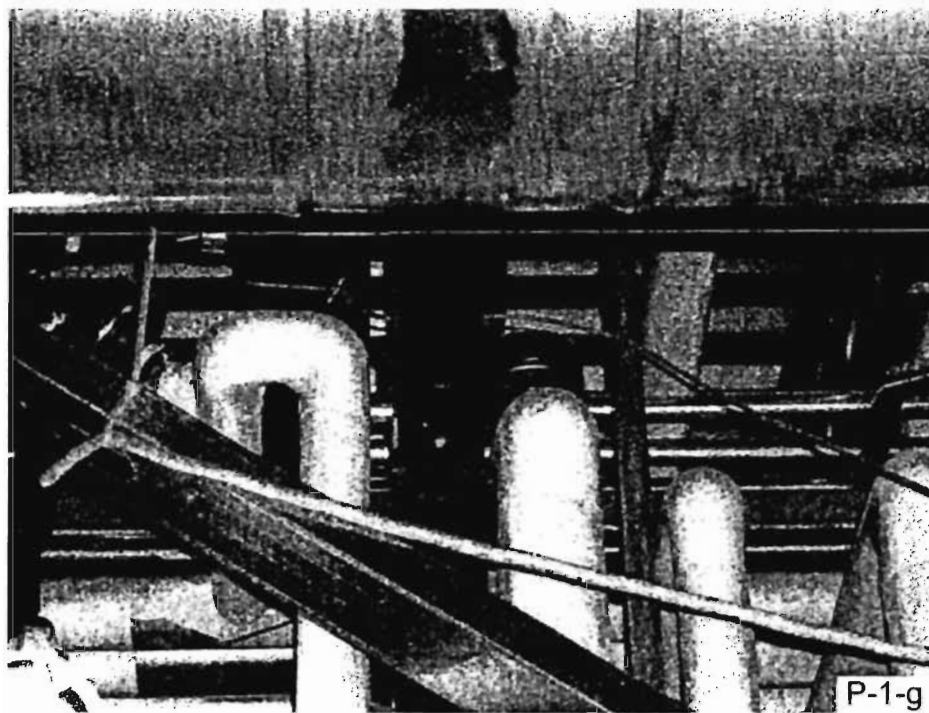
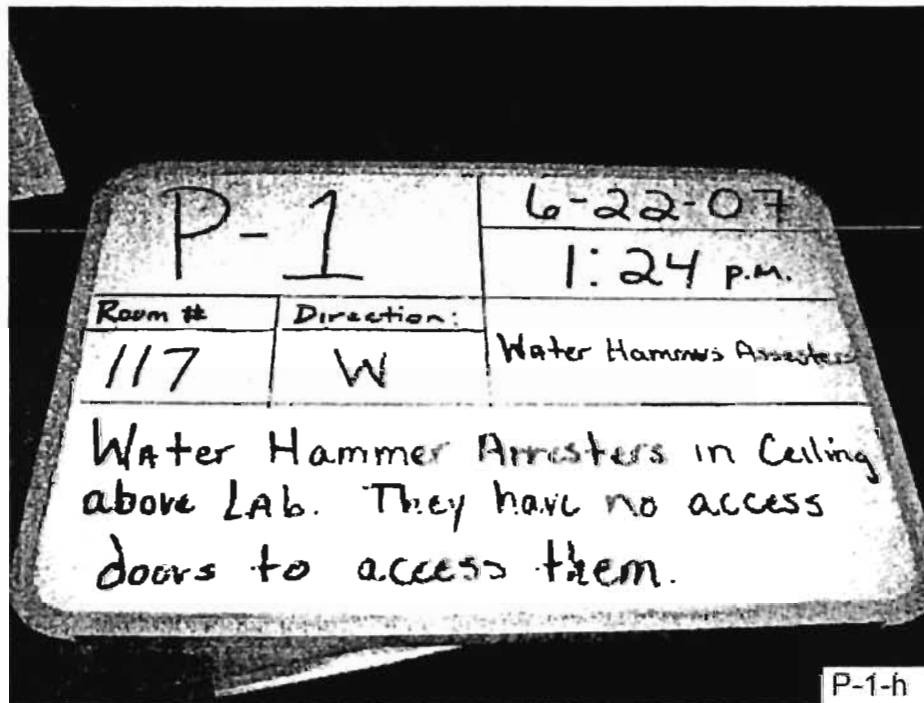
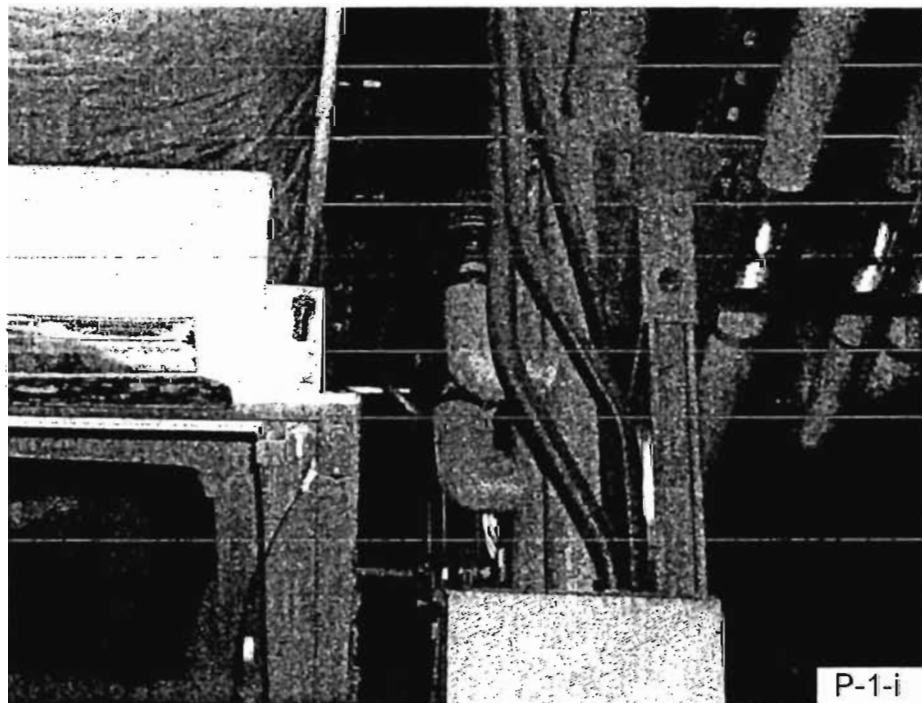


Photo 'g': The water hammer arrestors above the ceiling were not accessible. Room 112.

01149



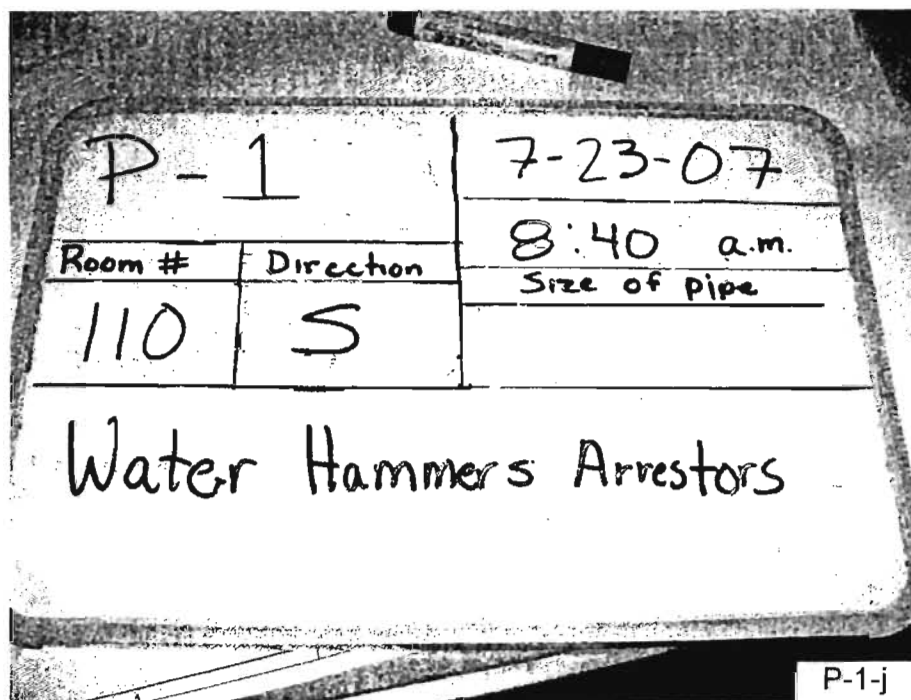
P-1-h



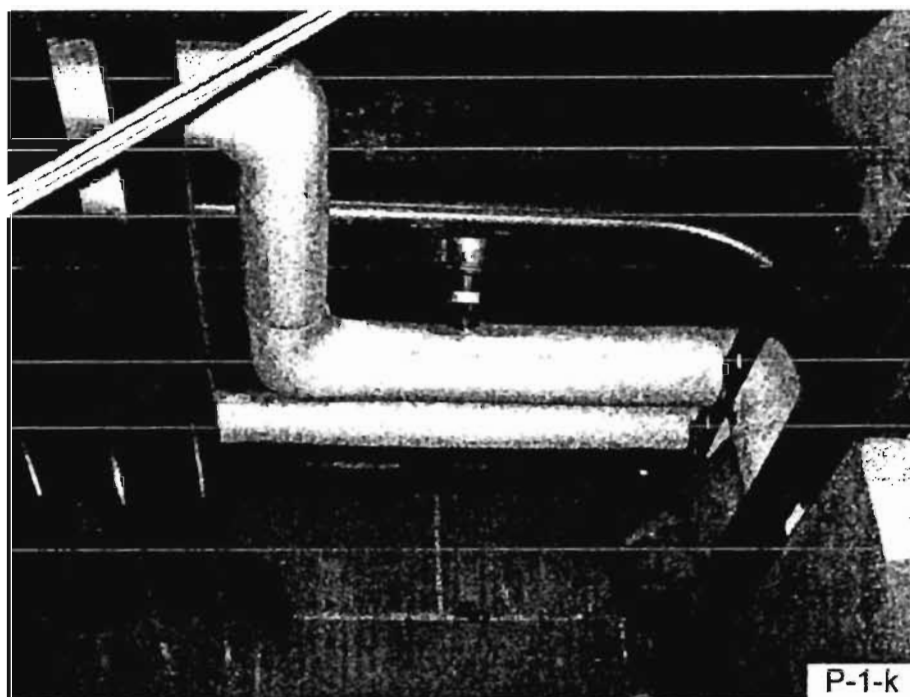
P-1-i

Photos 'h' and 'i': The water hammer arrestors above the ceiling were not accessible.





P-1-j



Photos 'j' and 'k': The water hammer arrestors above the ceiling were not accessible.

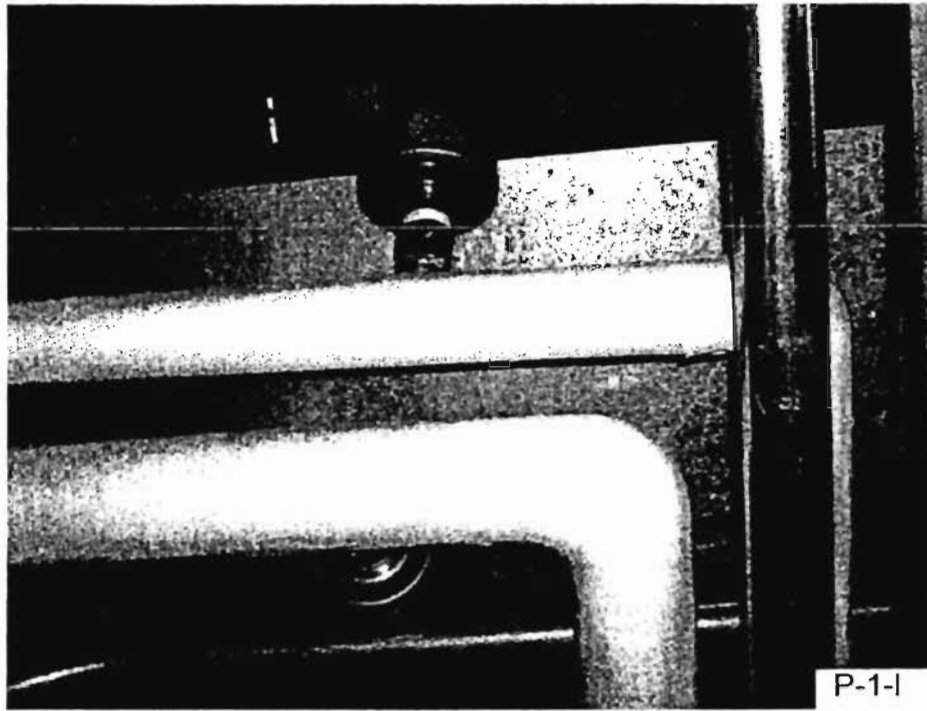


Photo 'P': The water hammer arrestors above the ceiling were not accessible.

RECEIVED

MAR - 5 2008

PUBLIC WORKS

State of Idaho

DIVISION OF PUBLIC WORKS

# NONCONFORMANCE RESOLUTION REPORT (N.C.R.R.)

DPW PROJECT NO.  
06-350

CODE AMOUNT

CC

\$4,154

DATE

3/17/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

N.C.R. R.

# 14

Date

02/14/08

## THE CONTRACT IS CHANGED AS FOLLOWS:

NCR, RFI, PR  
and/or CCD #  
(if applicable)

Description of Change

Change in  
Contract Amount

NCR-1014  
RFI-037R2

Install local ball type isolation valves on hot and cold water supplies and tempered water discharge from eyewash tempering valves in Clinical Sample Storage Room# 107, Primary Procedures Room# 113, BAC-T Virology Lab# 117, and TB/Mycology Lab# 118 as specified on drawings M2.2 and LPO.3. In addition, upon removal of the ceiling in Clinical Sample Storage Room# 107 to remedy the paint peeling problem, additional water hammer arrestors were found concealed above the non-accessible ceiling. In conformance with the International Plumbing Code requirements, they were relocated to an accessible location near an access panel.

NCR-1052

Add rough-in and install new F-13 single outlet deck mounted gas cock near sink P1-2 on west wall of room 118 as requested by H&W personnel.

YMC Purchase Requisition# PR-050  
Washington Group Markup (12%)

\$ 3,709.

\$ 445.

Total Amount this Change

\$ 4,154.

Original Contract Amount

\$ 1,896,038.

Net Change by Previous Non Conformance Item(s)

\$ 276,205. ✓

Total Contract Amount Prior to this N.C.R.R. Item

\$ 2,172,243.

Net increase in Contract Amount with this N.C.R.R.  
Item

\$ 4,154.

Revised Contract Amount

\$ 2,176,397. ✓

01153

## JUSTIFICATION FOR CHANGE

DPW Project No.  
06-350

N.C.R.R. No. **14**

NCR-1014 – Sheet note# 11 on drawing M2.2 requires a ¾" shut-off valve on the discharge side of the tempering valve. Though not specifically identified in note# 11, specification 15100 requires isolation valves at each item of equipment furnished by others and at equipment requiring periodic removal. Further, normal plumbing protocol requires stop valves at each item of equipment needing service and/c replacement. The tempering valves serving the eyewash units do require periodic service and maintenance. The lack of isolation valves would necessitate total system shut off, and would also involve extensive drainage of the entire overhead system in concert with removal.

While the water hammer arrestors in rooms 113, 117, and 118 were relocated to accessible locations above the ceiling of room 114 under NCRR-08 (NCR1015R), the units above the ceiling in room 107 have gone undetected because original plans were to salvage that ceiling. However, when the peeling problem related to the paint coating necessitated removal of the ceiling in room 107 as the remedy, the additional water hammer arrestors not previously identified were discovered. To bring the installation in conformance with International Plumbing Code requirements, the arrestors were relocated to an accessible area in proximity to the access panel located in the ceiling of room 107.

NCR-1052 – Drawing LPO.3 does not indicate a need for a gas outlet at sink P1-2 in room 118; however H&W personnel requested addition of one during construction. Insofar as the gas piping is available in the party wall between rooms 117 and 118, the request could be accommodated at nominal cost.

Attachments: NCR-1014,RFI-037R2, NCR-1052, YMC Proposal Request PR-050 dated 02/14/08.

**01154**



# Nonconformance Report

## NCR No. 1014R

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	RFI 037R2(P-12)	Date:	7/20/07 Revised 02/14/08
Specification Reference:	International Plumbing Code	Drawing Reference:	M2.2

**NONCONFORMANCE DESCRIPTION****Requirement:**

Plan indicates shut off valve for future eyewash (P3-1) in island sink in Room #113 (refer to Sheet Note #11)

Plan indicates eyewash (P3-1) in island sink in Room #117.

International Plumbing Code requires permanent accessibility for water hammer arrestors

**Deficiency:**

Eyewash exists in Room #113 (no ball valve exists) – spring check valve installed.

No shut off valve or eyewash exists in Room #117.

Upon removal of the ceiling in room 107 to correct the paint peeling deficiency, concealed and non-accessible water hammer arrestors were encountered.

Attachments: RFI-037R2

Photo. ID#: (if applicable)	N/A	Video ID#: (if applicable)	N/A
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	Supplier Deviation

**RECOMMENDED DISPOSITION**

<input checked="" type="checkbox"/> REWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS	<input type="checkbox"/> REPAIR	<input type="checkbox"/> CONDITIONAL RELEASE *
--	--------------------------------	------------------------------------	---------------------------------	---

As reflected on drawing LPO.3, eyewash units are required at sinks P1-2 in rooms 107, 113, 117, and 118. As indicated in the resolution section on RFI-037R2, each eyewash unit should be fitted with a thermostatic tempering valve, and the hot and cold water supplies to each tempering valve as well as the tempered water discharge from each valve should be fitted with ball type isolation valves. No eyewash unit is required at the P1-2 sink in room 114, nor are rough-ins for eyewash units required at the P1-3 sink in room 117 or the P1-4 sink in room 118.

The water hammer arrestors must be relocated to an accessible location near the access panel in the ceiling of room 107.

WGI Representative: Altair J. Mune Date: 02/25/08

**Nonconformance Report**  
**NCR No. 1014R**

**CLOSURE OF NCR**

**Corrective Actions Taken to Complete NCR Close-Out:**

Isolation valves are installed on the hot and cold water supplies and the tempered water discharge at the eyewash stations in rooms 107, 113, 117, and 118. The tempering valve in room 114 has been removed and isolation valves and plugs installed.

The previously concealed water hammer arrestors above the ceiling of room 107 have been relocated to provide access near the ceiling access panel in the ceiling of room 107.

YMC Representative:

*Stacy Lee*

Date:

3/4/08

**\*CONDITIONAL RELEASE**

**(IF applicable)**

**Justification:**

**Not Applicable**

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

## Request for Information

RFI No.: 037R2

ATTENTION

Al Munio

(P-12)

Please disposition the following problems:

Engineering Discipline:	Plumbing	Date Issued:	8/18/07 REV. 9/11/07
Contract No.:	WGI 28431-2/YMC 21246	Date Closed:	Jan 24, 2008 8/27/07REV. 9/24/07
Project Name:	Bio Lab #3	Response Needed Date:	And 12/18/07
Location:	2220 Penitentiary Road, Boise ID	Key Drawing/Spec:	Sheet M2.2
PROBLEM:	Eyewash Units		
TITLE:	Eye Wash Units		
REFERENCES:	N/A		
LOCATION:	All locations within the lab areas within this scope of work.		
DESCRIPTION:			

- 1) ~~The Owner has discussed changing the eyewash units in the lab area to match the type used in the rest of the building. 12/18/07 – We understand the EW units are not to be changed out.~~
- 2) ~~Do you want us to provide pricing to change out the eye wash units?~~
- 3) Sheet M2.2 indicates a 'future' connection at the eyewash locations (see Keynote #11 on Sheet M2.2) that does not appear to be complete in all locations. Do you want the 'future' connection capability in all locations noted?

9/11/07 – NOTE: RFI # 010 has been deleted (duplicated by this RFI).

Please note the following conditions for the eyewash (EW) units as verified on site (units installed are WaterSaver Faucet Co. EW1022BP- data sheet attached) **VERIFIED 12/18/07** :

Room #118: Has EW installed as indicated on plan.

Room #117: EW installed in one location (near sink in common wall) even though plan indicates no EW per Keynote #11 at this location (common wall at Room #117/#118). NOTE: a keynote is scribbled out on plan so we are unable to tell if an EW was to be installed at the sink in the island countertop (one is not installed at this location).

Room #113: EW is installed even though plan indicates no EW to be installed per Keynote #11.

Room #107: EW is installed even though plan indicates no EW to be installed per Keynote #11.

Room #114: No EW is installed as indicated on plan.

ORIGINATOR: Steve Dean, YMC

DATE: 8/18/07 & 9/11/07

**Washington Group International**

Integrated Engineering, Construction, and Management Solutions

456-01 (S)

<b>RESOLUTION:</b>	Design Change:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Design Change Review by:	Date:
						Al Munio	01/24/08

As shown on drawing LPO.3, eyewash units are required at the P1-2 sinks in rooms 107, 113, 117, and 118. No eyewash unit is required in room 114, though one is erroneously depicted on drawing M2.2.. All eyewash units should be equipped with thermostatic tempering valves. 1/2" ball type isolation valves should be installed on the hot and cold water supply services to the tempering valves and a 3/4" ball type isolation valve should be installed on the discharge service from the tempering valve to the eyewash unit. The tempering valve installed in Room 114 at sink P1-2 should be removed and delivered to the owner for future use. Provide ball type isolation valves on the hot and cold water supplies, capped or plugged for possible future use.

Note that the (2) obliterated sheet note symbols on drawing M2.2, at sink P1-3 in room 117 and at sink P1-4 in room 118, both reference sheet note# 11, but are both incorrect per drawing LPO.3 and should be ignored.

Wash. Gr. Representative: Al Munio	YMC Representative:	Steve Dean
Date: 01/24/2008	Date:	9/11/07
 02/25/08		Resub. 12/18/07

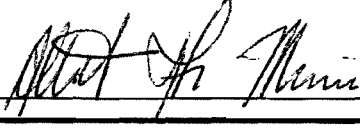
01158





Nonconformance Report

NCR No. 1052

Location:	BSL #3 Laboratory			Originator:	S. Dean		
Reference (i.e. RFI/CCD):				Date:	11/30/07		
Specification Reference:	N/A			Drawing Reference:	Sheet M2.2		
<b>NONCONFORMANCE DESCRIPTION</b>							
Requirement: The Drawings require a natural gas outlet to be provided at P1-2 sink.							
Deficiency: Per note #5 on Sheet M2.2 in Room #118, the natural gas outlet has not been provided per the requirements of the Contract.							
Attachments: N/A							
Photo. ID#: (if applicable)	N/A			Video ID#: (if applicable)	N/A		
Cause:	Construction Deviation		Subcontractor Deviation		Supplier Deviation		
<b>RECOMMENDED DISPOSITION</b>							
<input checked="" type="checkbox"/>	REWORK		SCRAP		USE-AS-IS		
					REPAIR		
						CONDITIONAL RELEASE *	
<p>In accordance with drawing LPO.3, no gas outlet is required at sink P1-2 in room 118, however one is being added at the specific request of H&amp;W personnel. The added outlet will be a fixture number F-13 single outlet deck mounted unit as specified on drawing LPO.1.</p> <p>A deck mounted single outlet F-13 gas outlet is specified and required on the cabinetry on the east wall of room 118, south of BSC-7. An F-15 gas outlet is also required within BSC-7. A deck mounted double outlet F-14 gas outlet is also required in the island cabinetry, toward the south end. Its service comes from the basement (tunnel) below. No other gas services are required in room 118.</p>							
Wash. Gr. Representative: Al Munio  Date: <u>02/25/08</u>							
<b>DISPOSITION APPROVAL</b>							

01159



Nonconformance Report

NCR No. 1052

CLOSURE OF NCR

Corrective Actions To Be Taken to Complete NCR Close-Out:

An F-13 single outlet deck mounted gas cock is being added at sink P1-2 in room 118.

YMC Representative:

*Steven Dan*

Date:

3/4/28

\*CONDITIONAL RELEASE

(IF applicable)

Justification:

Not Applicable

Approval of Conditional Release if Applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



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MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

February 14, 2008

**PR-050 – Provide Isolation Valves at the Eyewash Tempering Valves, Install Gas Cock in Room #118 (shown on plan but not installed), and Relocate Hammer Arrestors in ceiling in Room #107**

Scope of work under this proposal includes providing isolation valves at the eyewash tempering valves, install gas cock in Room #118 (shown on plan but not installed), and relocate hammer arrestors to accessible location in ceiling in Room #107.

**Total Price: \$3,709.00**

**Exclusions:**

**Any work not mentioned above.  
Work outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



**01161**

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State of Idaho  
DIVISION OF PUBLIC WORKS  
**NONCONFORMANCE  
RESOLUTION REPORT  
(N.C.R.R.)**

DPW PROJECT NO.  
06-350

CODE	AMOUNT
CC	\$1,772
DATE	3/17/08
N.C.R. R.	Date
# 15	01/29/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

## THE CONTRACT IS CHANGED AS FOLLOWS:

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
NCR-1016	Furnish and install metal (stainless steel) electrical wall plates as specified in section 16140, paragraph 2.4. At installation, wall plates will be provided with closed cell gaskets and caulked in compliance with the supplementary requirements added to section 16130 by addendum# 1.	
	YMC Purchase Requisition# PR-012R	\$ 1,582.
	Washington Group Markup (12%)	\$ 190.
	Total Amount this Change	\$ 1,772.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 280,359.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,176,397.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 1,772.
	Revised Contract Amount	\$ 2,178,169. ✓

RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2

Date

02/25/08

PERFORMED BY YMC INC.

Project #21426

Date

3/4/08

DPW FIELD REPRESENTATIVE

Date

3/11/08

DPW PROJECT MANAGER

Date

03/11/08

APPROVED BY ADMINISTRATOR

Date

3/18/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

FILE

01162

**JUSTIFICATION FOR CHANGE**

**DPW Project No.**  
06-350

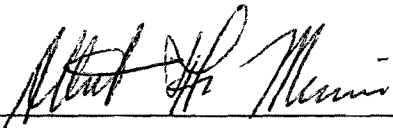
**N.C.R.R. No. 15**

NCR-1016 – Specification section 16140, paragraph 2.4 requires metal wall plates with matching attachment screws. No modification or authorized change was found in the original construction documentation. However, striated plastic wall plates were installed in lieu of the specified materials. Further, the plates were not provided with closed cell gaskets as required by addendum# 1, nor were they caulked as was also required by addendum# 1. Stainless steel wall plates will be installed to replace the plastic units, conform to the specified materials, and match the plates in the balance of the laboratory facility. Closed cell urethane gaskets will be provided for all plates, and the wall plates will be caulked with silicone sealant at installation.

Attachments: NCR-1016, YMC PR-012R dated 08/02/07, Photographs E-3-a, E-3-b

**01163**

**Nonconformance Report**NCR No. 1016

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	N/A	Date:	7/20/07
Specification Reference:	16140-2, 2.4	Drawing Reference:	
<b>NONCONFORMANCE DESCRIPTION</b>			
<b>Requirement:</b> Cover plates on electrical devices are required to be metal, and are to be gasketed (closed cell) and silicone sealed per Addenda (noted as 2.6A and 3.3A).			
<b>Deficiency:</b> Metal cover plates were not provided. Cover plates were not gasketed nor were they silicone seal coated.			
<b>Attachments:</b>			
Photo. ID#: (if applicable)	E-3-a,b	Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	<input type="checkbox"/> Supplier Deviation
<b>RECOMMENDED DISPOSITION</b>			
<input checked="" type="checkbox"/> RWORK	<input type="checkbox"/> SCRAP	<input type="checkbox"/> USE-AS-IS	<input type="checkbox"/> REPAIR
<input type="checkbox"/> CONDITIONAL RELEASE *			
Furnish metal cover plates as specified in section 16140-2.4. At installation, provide closed cell urethane gaskets at each plate and caulk the plates to provide airtight seal as required by addendum# 1.			
WGI Representative: <u></u>		Date: <u>02/25/08</u>	

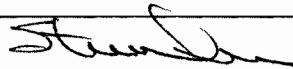
**Nonconformance Report**  
**NCR No. 1016**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

Stainless steel wall plates with closed cell urethane gaskets will be installed. At installation, the wall plates will be caulked with a clear silicon sealant to provide an airtight installation.

YMC Representative:



Date:

3/4/08

**\*CONDITIONAL RELEASE**

**(IF applicable)**

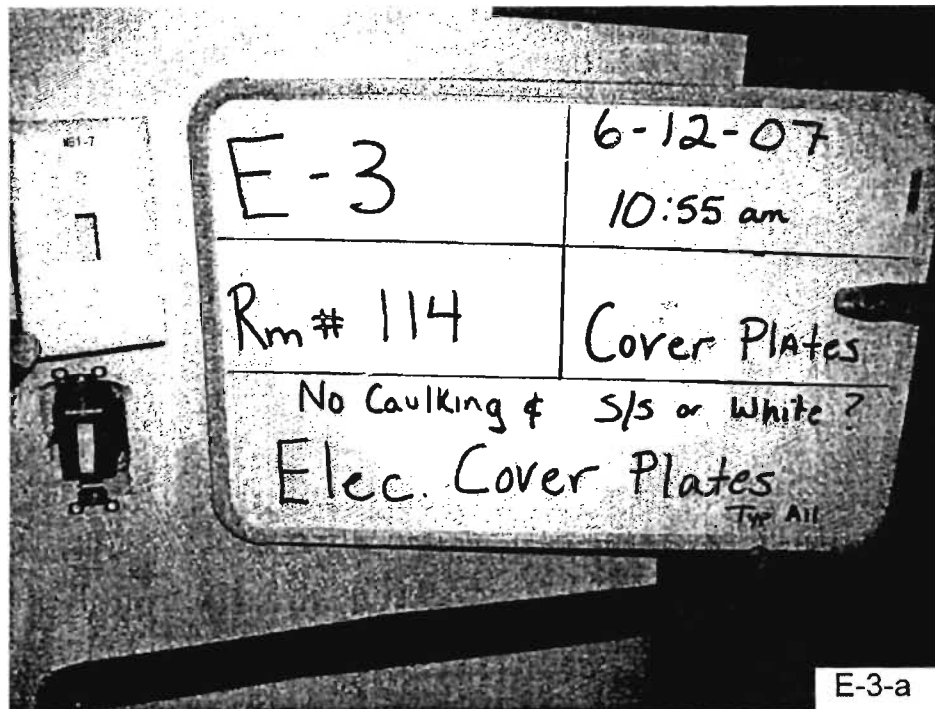
Justification:

**Not Applicable**

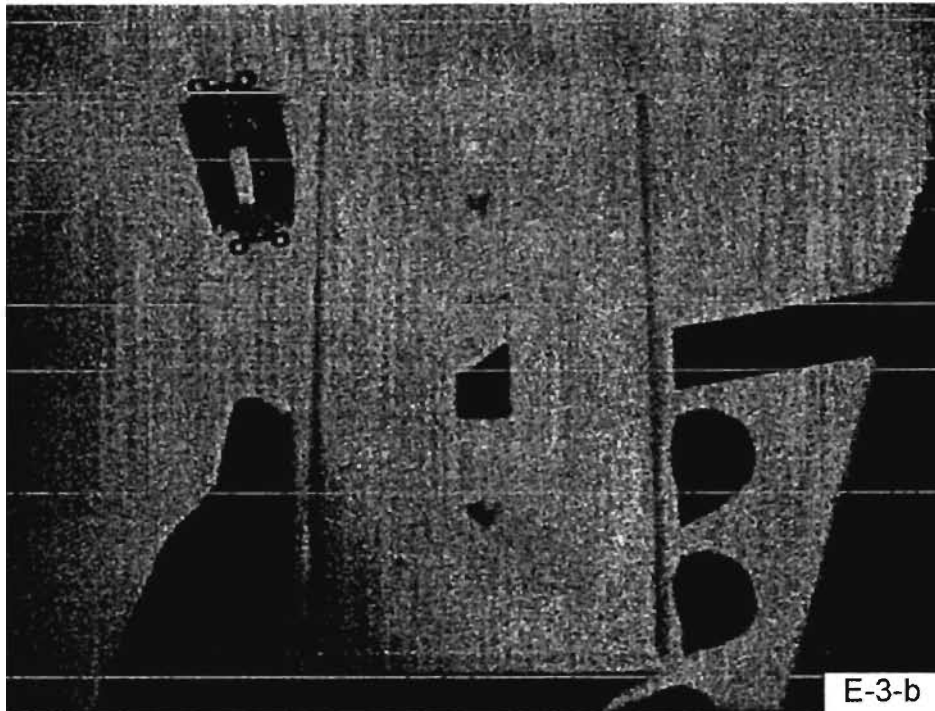
WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



E-3-a



E-3-b

Photos 'a' and 'b': Light switch cover plates were not caulked per Specification 16511, 3.1A, per Addendum #1 (E). Also, the cover plates were not metal per Specification 16140, 2.4A.

01166





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www.ymcinc.com

August 2, 2007

**Washington Group International**

720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-012R – Provide Stainless Steel Electrical Cover Plates  
Per NCR 1016**

**Provide Stainless Steel electrical cover plates through the laboratories under this scope of work.**

**All labor, miscellaneous materials, supervision and management included.**

**Total Price \$1,582.00**

**Exclusions:**

**Any work not mentioned above.**

**Work performed outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



01167

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MAR - 5 2008

State of Idaho

DIVISION OF PUBLIC WORKS

PUBLIC WORKS

# NONCONFORMANCE RESOLUTION REPORT (N.C.R.R.)

DPW PROJECT NO.  
06-350

CODE AMOUNT

CC

\$1,133

DATE

3/17/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

N.C.R. R.

# 16

Date

02/01/08

## THE CONTRACT IS CHANGED AS FOLLOWS:

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
NCR-1058	Provide protective stainless steel window sills on (1) window in Clinical Sample Storage Room 107, (1) window in Primary Procedure Room 113, (2) windows in BAC-TVirology Lab 117, and (2) windows in TB/Mycology Lab 118 in lieu of the plastic laminate sills specified and described on drawings A6.02 and A8.02.	
	YMC Purchase Requisition# PR-049	\$ 1,012.
	Washington Group Markup (12%)	\$ 121.
	Total Amount this Change	\$ 1,133.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 282,131.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,178,169.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 1,133.
	Revised Contract Amount	\$ 2,179,302.

RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2

Date

02/25/08

PERFORMED BY YMC INC.  
Project #21426

Date

3/4/08

DPW FIELD REPRESENTATIVE

Date

3/11/08

DPW PROJECT MANAGER

Date

03/11/08

APPROVED BY ADMINISTRATOR

Date

3/14/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01168

## JUSTIFICATION FOR CHANGE

DPW Project No.  
06-350

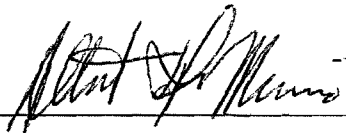
N.C.R.R. No. **16**

Window types 1 and 2 on drawing A6.02 refer to window section details A-8 and A-12 on drawing A8.02 for installation details. Both details specify # 06402BF chemical resistant plastic laminate sills to be installed on all windows. No protective sill material of any type was provided, thus painted gypsum board sills are existing. There is potential conflict existent on the drawings, in that drawing A6.01 refers to details A-1 and A-4 on drawing A8.02 for sill details in rooms 107 and 113, and further refers to details 1 and E-4 on drawing A8.02 for sill details in rooms 117 and 118. Details A-1 and A-4 indicate painted gypsum board sills, where as details E-1 and E-4 indicate plastic laminate, commensurate with window section details A-8 and A-12. Given the proximity of the window sills to the work surfaces in all cases, and the potential for operators to utilize the sills for interim storage of reagents and laboratory glassware a protective surface more durable than painted gypsum board is warranted. Upon evaluation and comparison of pricing between the specified chemical resistant plastic laminate and #4 finish stainless steel, the stainless steel proved to be slightly less costly. Given the improved durability and chemical resistance of stainless steel, it was selected as the better option for this operating laboratory environment.

Attachments: NCR-1058, YMC PR-049 dated 01/31/08, Photographs NCR-1058-1, NCR-1058-2, and NCR-1058-3.

01169

**Nonconformance Report****NCR No. 1058**

Location:	BSL #3 Laboratory			Originator:	S. Dean		
Reference (i.e. RFI/CCD):	N/A			Date:	1/29/08		
Specification Reference:	N/A			Drawing Reference:	A8.02 Details A-8 and A-12		
<b>NONCONFORMANCE DESCRIPTION</b>							
Requirement: Provide chemical resistant P. Lam sill at exterior windows, typical of all.							
Deficiency: The window sills are sheetrock with paint.							
Attachments: Photographs							
Photo. ID#: (if applicable)	NCR 1058-1 NCR 1058-2 NCR 1058-3			Video ID#: (if applicable)	N/A		
Cause:	Construction Deviation	X	Subcontractor Deviation		Supplier Deviation		
<b>RECOMMENDED DISPOSITION</b>							
X	REWORK		SCRAP		USE-AS-IS		
					REPAIR		
						CONDITIONAL RELEASE *	
Provide Plastic laminate protective sills on all windows as specified in window section details A-8 and A-12 on drawing A8.02. As an alternate, stainless steel protective sills will be acceptable.							
Wash. Gr. Representative: 				Date: <u>02/25/08</u>			
<b>DISPOSITION APPROVAL</b>							

**01170**



Nonconformance Report  
NCR No. 1058

**CLOSURE OF NCR**

Corrective Actions To Be Taken to Complete NCR Close-Out:

Providing stainless steel sills in lieu of P. Lam for a more durable finish to match other stainless steel in the room.

YMC Representative: Steve Dean

Date: 3/4/28

**\*CONDITIONAL RELEASE**

(IF applicable)

Justification:

**Not Applicable**

Approval of Conditional Release if Applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



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**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
**Attention: Mr. Al Munio**  
**Project: State of Idaho – Bio Safety Level 3 Lab**

January 31, 2008

**PR-049 – Provide Stainless Steel Sills @ Exterior Windows**

Provide new stainless steel (16 ga) at all exterior window sills. Drawings specified P. Lam. which was not provided (identified in NCR 1058).

**Total Price: \$1,012.00**

**Exclusions:**

**Any work not mentioned above.**  
**Work outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



01172

A-23

1/14/6

Room #

Direction

12:44 p.m.

107

N

Window  
Seals

Window Seals to have a Chemical  
Resistant P-Lam Sill Per A-B.02  
Typ. All windows. Detail A8

NCR 1058 -

NCR 1058 -

01174



NCR 1058 -

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State of Idaho

DIVISION OF PUBLIC WORKS

# NONCONFORMANCE RESOLUTION REPORT (N.C.R.R.)

DPW PROJECT NO.  
06-350

CODE AMOUNT

CC

\$3,080

DATE

3/17/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

N.C.R. R.

# 17

Date

02/14/08

## THE CONTRACT IS CHANGED AS FOLLOWS:

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-018 NCR-1021	Furnish and install fire resistant pillow blocks to maintain 1 hour fire rating of enclosure as required for Code compliance. Furnish and install stainless steel closure cover frame to enclose exposed self-tapping screws and improve safety and aesthetics of autoclave seal assembly in Room# 107 and Room# 120	
	YMC Purchase Requisition# PR-045	\$ 2,750.
	Washington Group Markup (12%)	\$ 330.
	Total Amount this Change	\$ 3,080.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 283,264.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,179,302.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 3,080.
	Revised Contract Amount	\$ 2,182,382.

RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2

Date

02/25/08

PERFORMED BY YMC INC.  
Project #21426

Date

3/4/08

DPW FIELD REPRESENTATIVE

Date

3/14/08

DPW PROJECT MANAGER

Date

03/14/08

APPROVED BY ADMINISTRATOR

Date

3/14/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

**JUSTIFICATION FOR CHANGE**

**DPW Project No.**

06-350

**N.C.R.R. No. 17**

The fire resistant pillow blocks are required to meet Code requirements and comply with the 1 hour rating required by the review architect for the State of Idaho Division of Building Safety.

The stainless steel closure frames are warranted to not only improve the aesthetics of the installation, but also improve safety for the laboratory personnel by providing cover over the exposed self-tapping screws, which present a safety hazard in their current exposed status.

Attachments: RFI-018, NCR-1021, YMC proposal request PR-045 dated 01/07/08.



Nonconformance Report  
NCR No. 1021

Location:	Bio Safety Lab #3	Originator:	S. Dean
Reference (i.e. RFI/CCD):	RFI 018 (A/E-6)	Date:	7/25/07
Specification Reference:	N/A	Drawing Reference:	LP0.6, Det. 17

NONCONFORMANCE DESCRIPTION

Requirement:

Autoclave to have cross contamination seal per detail on the Drawings.

Deficiency:

No cross contamination seal exists on either autoclave (self tapping screws are exposed at autoclave perimeter).

Attachments:

Photo. ID#: (if applicable)		Video ID#: (if applicable)	
Cause:	Construction Deviation	<input checked="" type="checkbox"/> Subcontractor Deviation	<input type="checkbox"/> Supplier Deviation

RECOMMENDED DISPOSITION

<input checked="" type="checkbox"/> Rework	<input type="checkbox"/> Scrap	<input type="checkbox"/> Use-As-Is	<input type="checkbox"/> Repair	<input type="checkbox"/> Conditional Release *
--	--------------------------------	------------------------------------	---------------------------------	---

Provide new fire resistant pillow blocks at each autoclave and provide fabricated stainless steel trim plate to provide closure and protect personnel from exposed self tapping screws.

WGI Representative: 

Date: 02/25/08

**Nonconformance Report**  
**NCR No. 1021**

**CLOSURE OF NCR**

Corrective Actions Taken to Complete NCR Close-Out:

New pillow blocks installed and new stainless steel trim plate closures provided.

YMC Representative:



Date:

3/4/02

**\*CONDITIONAL RELEASE**

**(IF applicable)**

Justification:

**Not Applicable**

WGI Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_



**Washington Group International**  
Integrated Engineering, Construction, and Management Solutions

456-01 (S)

## Request for Information

ATTENTION

Al Munio

RFI No.:

018 (A/E-6)

Please disposition the following problems:

PRIORITY No.:

3

(Priority: 1 = need to prevent work stoppage or schedule slip, 3 = req'd for work continuity, 5 = proj. schedule continuity, please respond appropriately).

Engineering Discipline:	ARCH/ENG	Date Issued:	6/15/07
Contract No.:	WGI 28431-2/YMC 21246	Date Closed:	2/14/08
Project Name:	Bio Lab #3	Response Needed Date:	7/5/07
Location:	2220 Penitentiary Road, Boise ID	Key Drawing/Spec:	

PROBLEM: Autoclave enclosure requirements

TITLE: Autoclave Enclosure

REFERENCES: N/A

LOCATION: Rooms #107, #113, #118, and Corr. Vest. #120.

DESCRIPTION:

At each of the Autoclave locations, the sharp ends of the self tapping screws are exposed and could create a safety problem.

We do not see a closure detail on the drawings.

Do you want to have a closure panel installed at these locations?

SUBCONTRACT NO.: ID7-28431-SC001

SUBCONTRACTOR: YMC, Inc.

ORIGINATOR: Steve Dean

DATE: 6/15/07

RESOLUTION:	Design Change	Yes	<input checked="" type="checkbox"/> No	X	Design Leader -: Al Munio	2/14/08
-------------	---------------	-----	--	---	---------------------------	---------

Provide stainless steel closure frame to cover self-tapping screws and improve safety and aesthetics of autoclave installation.

CCN, NCR,  
Backcharge No.:

NCR-1021

Apparent Cause:

COST  
CODE:

FIELD PROJECT  
CONTROL MGR

Date:

APPROVED BY:

Project Engineer or  
Client Rep.

CHIEF CONSTRUCTION  
ENGINEER:

Date:

02/25/08

01180



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208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

January 7, 2008

**PR-045 – Provide SS Enclosure @ Autoclaves  
(Identified in NCR 1021/RFI 018)**

Provide Stainless Steel Enclosures to cover exposed self tapping screws at each Autoclave.

Provide fire rated pillow blocks to provide 1 hour rating under SS Enclosure as required by State Architect in Room #118.

**Total Price: \$2,750.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



01181

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MAR - 5 2008

PUBLIC WORKS

State of Idaho

DIVISION OF PUBLIC WORKS

# NONCONFORMANCE RESOLUTION REPORT (N.C.R.R.)

DPW PROJECT NO.  
06-350

CODE AMOUNT

CC

\$6,439

DATE

3/17/08

To (Project Manager)

Washington Group International

Name and Location of Project

Biosafety Level 3 Laboratory Improvements  
2220 Old Penitentiary Road, Boise, Idaho

N.C.R. R.

# 18

Date

2/15/08

FILE

## THE CONTRACT IS CHANGED AS FOLLOWS:

NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount
RFI-064 NCR-1028R	Remove 8.2% concentration propylene glycol solution and replace with 45% minimum concentration solution to provide adequate freeze protection for makeup air units MUA-1 and MUA-2 located outdoors on roof# 1 of H&W Laboratory Facility.	
NCR-1053	Repair the damaged and leaking coils in MUA-1 and MUA-2, hydrostatically test the repaired systems at 200 PSIG minimum, and recharge with 45% factory blend glycol mixture as specified and as recommended by RFI-064.	
	YMC Proposal Request# PR-040	\$ 653.
	YMC Proposal Request# PR-043	\$ 5,096.
	Subtotal	\$ 5,749.
	Washington Group Markup (12%)	\$ 690.
	Total Amount this Change	\$ 6,439.
	Original Contract Amount	\$ 1,896,038.
	Net Change by Previous Non Conformance Item(s)	\$ 286,344.
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,182,382.
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 6,439.
	Revised Contract Amount	\$ 2,188,821.



RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL  
Project #28431-2

Date

02/25/08

PERFORMED BY YMC INC.  
Project #21426

Date

3/4/08

DPW FIELD REPRESENTATIVE

Date

3/10/08

DPW PROJECT MANAGER

Date

03/11/08

APPROVED BY ADMINISTRATOR

Date

3/14/08

Original: DPW Contract File Copies to: Wash. Gr., YMC, FR, PM, Agency, Fiscal

01183

## JUSTIFICATION FOR CHANGE

DPW Project No.  
06-350

N.C.R.R. No. **18**

RFI-064 and NCR-1028R – As the test report from Analytical Laboratories, Inc dated 8/01/07 (copy attached) indicates, the residual glycol fluid in the glycol system contained 8.2% propylene glycol instead of the 35% factory blended glycol solution specified. 8.2% glycol provides freeze protection only to about 27 degrees F, a temperature that was exceeded frequently since its installation in calendar 2004 and the test date, most likely causing the freeze damage experienced by the original contractor and probably also causing the extensive leak problems identified on NCR-1053. As indicated on the resolution to RFI-064 the 35% glycol solution specified would have provided freeze protection to about +3 degrees F and would have adequately protected the system since its installation. However, one of the MUA units will always be dormant, without fluid circulation, and would therefore be vulnerable to freeze damage, should a temperature excursion below the +3 deg F temperature occur. To improve the freeze protection of the system and reduce the vulnerability of the dormant unit, as directed in RFI-064, the glycol solution has been increased to 45%, which affords protection to about -14 degrees F, a temperature rarely experienced in the Boise area.

NCR-1053 – As averred above, the leakage damage was likely the result of freeze up during one or more of several excursions below the +27 degree F protection afforded by the 8.2% glycol since its installation in calendar 2004. Insofar as it's been more than 3 years since the equipments' ship date, and it's long past the equipments' warranty period, repair was deemed the more cost effective solution, in lieu of replacement. To reconcile the sustained integrity of the repaired coils with the system requirements for the forecast life of the project, the systems were hydrostatically tested after repair to a minimum of 200 PSIG; nominally more than 4 times expected maximum operating pressure of the system. After repair and test, the system was recharged with 45% factory blended glycol solution as discussed in RFI-064 to provide improved freeze protection in the future.

Attachments: RFI-064, NCR-1028R, NCR-1053, Analytical Laboratories Report dated 8/01/07, YMC proposal request# PR-040 dated 12/10/07. YMC proposal request# PR-043 dated 12/19/07, photographs# P-11-b, P-11-c, P-11-d, P-11-f, P-11-g, and P-11-h.



456-01 (S)

## Request for Information

ATTENTION	Al Munio	RFI No.:	064 (P-20)
Engineering Discipline:	Mechanical	Date Issued:	11/6/07
Contract No.:	DPW 06-350/YMC 21426	Date Closed:	11/13/07
Project Name:	BSL #3 Completion/Update	Response Needed Date:	11/8/07
Location:	Glycol Mixture	Key Drawing/Spec:	Spec. Section 15180-3, 2.3, A
PROBLEM:	Mixture of glycol specified may not be sufficient.		
TITLE:	Glycol Mixture		
REFERENCES:	N/A		
LOCATION:	System		
DESCRIPTION:	Specifications call for 35% mixture for the glycol (propylene).		

We have been informed the 35% mixture would only provide protection to 3 degrees F.

Is that sufficient?

ORIGINATOR: Steve Dean, YMC Inc.

DATE: 11/06/07

<b>RESOLUTION:</b>	Design Change:	Yes	<b>X</b>	No	Design Change Review by:	Date:
					Al Munio	11/13/07

The 35% Propylene Glycol mixture specified would protect the system to +3 degrees F, which is also the ASHRAE 1% occurrence frequency winter design temperature for Boise. While that will provide protection for most winter conditions in Boise, research of history has divulged infrequent but numerous occurrences below the +3 degree F value. Given the fact that we have redundant units and the standby unit will be totally inactive by design, that inactive unit will be vulnerable to freeze damage should a temperature excursion below the + 3 degrees F temperature occur. Therefore recharge the system with a 45% propylene glycol solution, which will afford freeze protection to -14 degrees F, a temperature that has been historically rarely exceeded in Boise.

Wash. Gr. Representative/Date: Al Munio/11/13/07

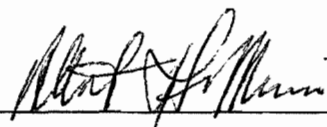
YMC Representative/Date:

Representative/Date: Al Munio/11/13/07

St. Louis

3141 58

**Nonconformance Report**  
**NCR No. 1028R**

Location:	BSL #3 Laboratory	Originator:	S. Dean		
Reference (i.e. RFI/CCD):	N/A	Date:	8/2/07 Updated 8/13		
Specification Reference:	Specification Section 15180	Drawing Reference:	N/A		
<b>NONCONFORMANCE DESCRIPTION</b>					
Requirement: Specification Section 15180-3, 2.3, A, requires a mixture of Propylene Glycol at 35% by volume.					
Deficiency: Analytical Laboratory Report (attached) indicates the mixture is Propylene; however, the mixture is only 8.2%.					
Attachments: Analytical Laboratory Test Report, RFI-064					
Photo. ID#: (if applicable)	N/A	Video ID#: (if applicable)	N/A		
Cause:	Construction Deviation	Subcontractor Deviation	x Supplier Deviation		
<b>RECOMMENDED DISPOSITION</b>					
X	REWORK	SCRAP	USE-AS-IS	REPAIR	CONDITIONAL RELEASE *
Replace the deficient 8.2% glycol fluid with new 45% factory blended mixture as specified to improve freeze protection of system to about minus 14 degrees F.					
Wash. Gr. Representative: 				Date: 02/25/08	



**Nonconformance Report**  
**NCR No. 1028R**

**CLOSURE OF NCR**

Corrective Actions To Be Taken to Complete NCR Close-Out:

Drain glycol system, recharge and refill system to provide 45% mixture of propylene glycol by volume factory blended mixture as required by the Specifications.

YMC Representative:

*Steve Dean*

Date:

3/4/88

**\*CONDITIONAL RELEASE**

(IF applicable)

Justification:

**Not Applicable**

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**01187**

**Nonconformance Report**  
**NCR No. 1053**

Location:	BSL #3 Laboratory	Originator:	S. Dean						
Reference (i.e. RFI/CCD):	N/A	Date:	12/5/07						
Specification Reference:	N/A	Drawing Reference:	N/A						
<b>NONCONFORMANCE DESCRIPTION</b>									
Requirement: By reference, all materials and equipment to be installed within the project are to be new.									
Deficiency: The coil in each of the make up air units on the roof have been repaired previously, and both leak from what appears to be frozen piping (splits in copper tubing).									
Attachments: RFI-064, Photographs									
Photo. ID#: (if applicable)	P-11-b;P-11-c;P11-d; P-11-f;P11-g; P-11h.	Video ID#: (if applicable)	N/A						
Cause:	Construction Deviation	Subcontractor Deviation	Supplier Deviation						
<b>RECOMMENDED DISPOSITION</b>									
<input checked="" type="checkbox"/>	REWORK	<input type="checkbox"/>	SCRAP	<input type="checkbox"/>	USE-AS-IS	<input type="checkbox"/>	REPAIR	<input type="checkbox"/>	CONDITIONAL RELEASE *
Insofar as the 8.2% glycol was inadequate for freeze protection below about 27 deg F, the damage was almost certainly caused by freeze-up of the coils. Repair the coils as required. After repair, hydrostatically test the coils at 200 PSIG minimum to ensure all damage has been repaired. After hydro test, recharge the system with 45% minimum factory blended propylene glycol mixture as recommended in the response to RFI-064.									
Wash. Gr. Representative: <u>Altat H. Muniri</u>						Date: <u>02/25/08</u>			

01188



Nonconformance Report

NCR No. 1053

CLOSURE OF NCR

Corrective Actions To Be Taken to Complete NCR Close-Out:

The system has been drained, repaired, tested, and recharged as recommended.

YMC Representative:

*Stan Dan*

Date:

3/4/08

\*CONDITIONAL RELEASE

(IF applicable)

Justification:

Not Applicable

Approval of Conditional Release if Applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

01189



# Analytical Laboratories, Inc.

1804 N. 33rd Street  
Boise, Idaho 83703  
Phone (208) 342-5515

Date Report Printed: 8/1/2007 9:16:23  
<http://www.analyticallaboratories.com>

## Laboratory Analysis Report

Sample Number: 0724162

Attr: STEVE DEAN  
YMC INC.  
2975 LANARK  
MERIDIAN, ID 83642

Collected By:  
Submitted By: S DEAN

Source of Sample:  
PROJECT: BSL-3 LAB GLYCOL 7/16/07

Time of Collection:

Date of Collection: 7/16/2007

Date Received: 7/17/2007

Report Date: 7/31/2007

PWS#:

PWS Name:

EPA 8015 testing by Anatek Labs.(ATL)

Test Requested	MCL	Analysis Result	Units	MDL	Method	Date Completed	Analyst
Ethylene Glycol		<0.01	%	0.01	EPA 8015	7/30/2007	ATL
Propylene glycol		8.62	%	0.01	EPA 8015	7/30/2007	ATL

MCL = Maximum Contamination Level  
MDL = Method/Minimum Detection Limit  
UR = Unregulated

Thank you for choosing Analytical Laboratories for your testing needs.  
If you have any questions about this report, or any future analytical needs, please contact: James Hibbs

This fax was received by GFI FAXmaker fax server. For more information, visit: <http://www.gfi.com>

01190





2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

**Washington Group International**  
720 Park Blvd.  
Boise, ID 83729  
**Attention: Mr. Al Munio**  
**Project: State of Idaho – Bio Safety Level 3 Lab**

December 10, 2007

**PR-040 – Provide Repair on Coils at MUA #1 and #2**  
**(Identified in NCR 1053)**

- 1) Cost includes labor and materials to repair return tubing on coils on both Make Up Air Units on the roof.

Tests will be performed and inspections will be made to insure no other leaks are present on the coils.

**Total Price \$653.00**

**Exclusions:**

**Any work not mentioned above.**  
**Work outside normal business hours.**

Respectfully,

Bill Graham

Valid for 30 Days



**01191**



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

Washington Group International  
720 Park Blvd.  
Boise, ID 83729  
Attention: Mr. Al Munio  
Project: State of Idaho – Bio Safety Level 3 Lab

December 19, 2007

**PR-043 – Change Glycol in Closed System  
(Identified in NCR 1028R)**

- 1) Remove existing 8.2% glycol in system and replace with 45% concentration solution (glycol) to provide adequate freeze protection for makeup air units.
  - a. Cost includes labor and materials to remove existing glycol, refill system with 45% mixture, bleed air from system, and the labor and materials to rework the expansion tank in the basement.

**Total Price \$5,096.00**

**Exclusions:**

**Any work not mentioned above.**

**Work outside normal business hours.**

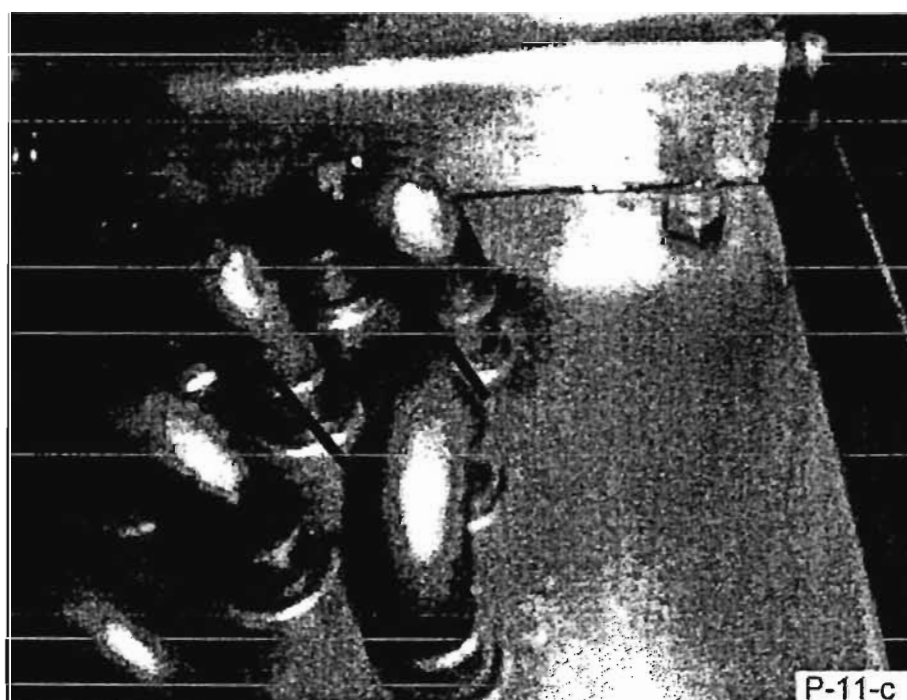
Respectfully,

Bill Graham

Valid for 30 Days



**01192**

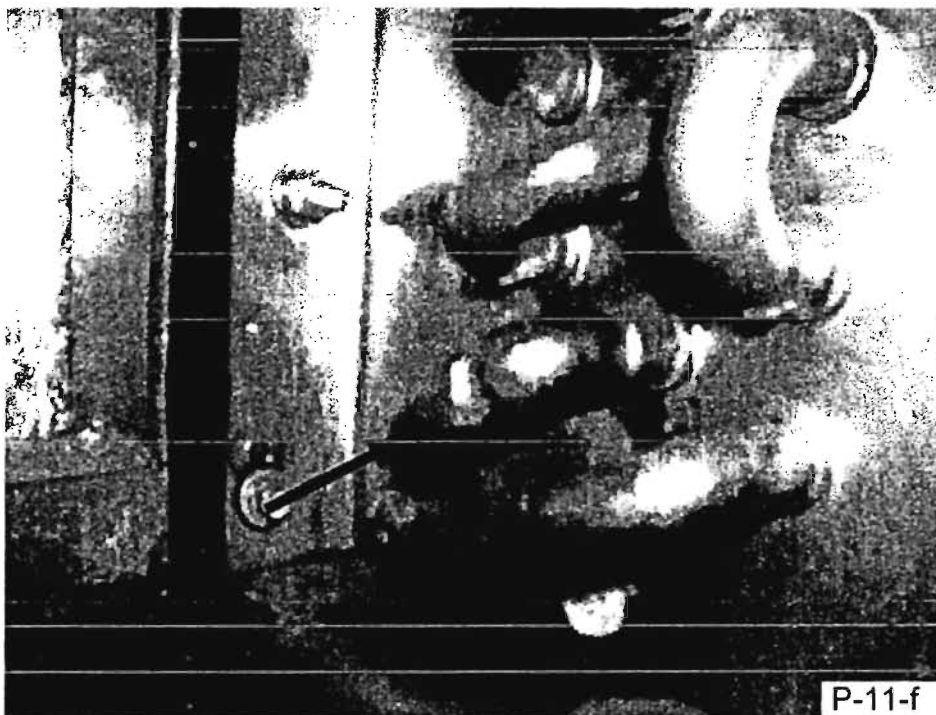


MAU-1, a split in the copper coil is causing the coil to leak.

01193

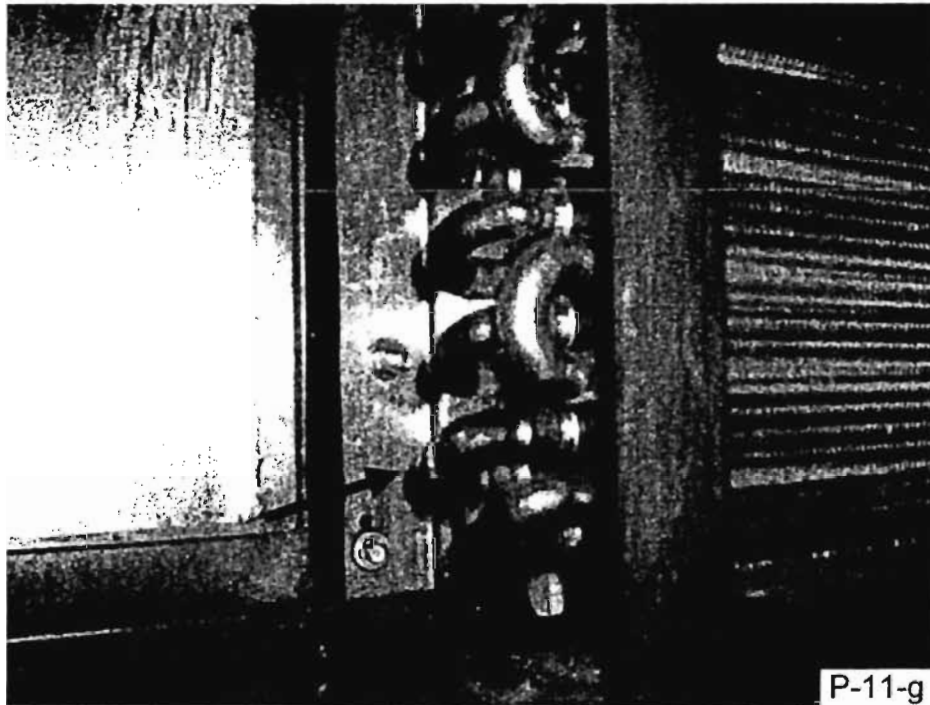


MAU-1, a split in the copper coil is causing the coil to leak.



MAU-2, a split in the copper coil is causing the coil to leak.

01194



MAU-2, a split in the copper coil is causing the coil to leak.

<b>State of Idaho</b> <b>DIVISION OF PUBLIC WORKS</b> <b>NONCONFORMANCE</b> <b>RESOLUTION REPORT</b> <b>(N.C.R.R.)</b>		DPW PROJECT NO. 06-350	
		CODE CC	AMOUNT \$20,478
To (Project Manager) <b>Washington Group International</b>		DATE 4/15/08	
Name and Location of Project <b>Biosafety Level 3 Laboratory Improvements</b> <b>2220 Old Penitentiary Road, Boise, Idaho</b>		N.C.R. R. # 19	Date 03/06/08
<b>THE CONTRACT IS CHANGED AS FOLLOWS:</b>			
NCR, RFI, PR and/or CCD # (if applicable)	Description of Change	Change in Contract Amount	
NCR-1031	Provide comprehensive documentation package supported by definitive drawings, photographs, video tapes, and salvaged deficient materials, to permanently record and substantiate identified deficiencies and nonconforming components and workmanship in original construction work performed on DPW project # 02-353.		
	YMC Purchase Requisition# PR-007	\$ 18,284.	
	Washington Group Markup (12%)	\$ 2,194.	
	Total Amount this Change	\$ 20,478. ✓	
	Original Contract Amount	\$ 1,896,038. ✓	
	Net Change by Previous Non Conformance Item(s)	\$ 292,783. ✓	
	Total Contract Amount Prior to this N.C.R.R. Item	\$ 2,188,821.	
	Net increase in Contract Amount with this N.C.R.R. Item	\$ 20,478. ✓	
	Revised Contract Amount	\$ 2,209,299. ✓	
RECOMMENDED BY WASHINGTON GROUP INTERNATIONAL Project #28431-2		Date 03/24/08	
PERFORMED BY YMC INC. Project #21426		Date 3/22/08	
DPW FIELD REPRESENTATIVE		Date 4-3-08	
DPW PROJECT MANAGER		Date 04/06/08	
APPROVED BY ADMINISTRATOR		Date 4/6/08	

FI'

## JUSTIFICATION FOR CHANGE

DPW Project No.  
06-350

N.C.R.R. No. 19

If a single word had to be selected to describe the condition of the completed construction activities for DPW Project# 02-353, that word would be "deplorable!" As the remediation and completion services required for DPW# 06-350 commenced, the deficiencies and non-compliance issues integral to the 02-353 effort began to unfold far beyond what had been identified or anticipated during the proposal preparation. Insofar as litigation was ongoing between the 02-353 contractors and the State of Idaho, DPW requested that comprehensive documentation and reference records be developed to document the deficiencies encountered for subsequent reference. As the repair and remediation efforts progressed, the quantity and nature of the deficiencies encountered bordered on unbelievable. And the problems encountered were not isolated to a single discipline; they encompassed virtually all disciplines, contractors, suppliers, and service agencies involved in the 02-353 construction effort. In total, more than 700 photographs and 6 or 7 video tapes were required to document the problems. To allow ready reference, they were compiled and catalogued onto several CD's. A definitive set of reference drawings was developed to allow reasonably easy access to the photographs that depict the area under review or discussion.

Attachments: NCR-1031, YMC Proposal Request# 007 dated 03/03/08 (Note that the mass and magnitude of the documentation package precludes attachment hereto. It is delivered to DPW separately.)

01197

**Nonconformance Report**NCR No. 1031

Location:	BSL #3 Laboratory	Originator:	Steve Dean
Reference (i.e. RFI/CCD):	N/A	Date:	8/16/07
Specification Reference:	Various	Drawing Reference:	Various
<b>NONCONFORMANCE DESCRIPTION</b>			
Requirement: At the request of the Owner, provide complete, detailed documentation of all items which are out of compliance with the Contract Documents.			
Deficiency: 1) Numerous items/issues have been found to be out of compliance with the Contract Document and in some cases, were found to be out of compliance with Code. Each item has been identified and documented in various methods (i.e. video, CD, photographs, etc.) and copies of the documentation files are to be provided to the Owner for their use.			
Attachments: None.			
Photo. ID#: (if applicable)	None	Video ID#: (if applicable)	None
Cause:	Construction Deviation	Subcontractor Deviation	Design Deviation
			X
<b>RECOMMENDED DISPOSITION</b>			
X	REWORK	SCRAP	USE-AS-IS
			REPAIR
			CONDITIONAL RELEASE *
Provide documentation package as requested by DPW. Compile, catalogue, and cross reference data for ready access and reference. Deliver completed documentation to DPW for their use and distribution.			
Wash. Gr. Representative:		Date: 03/20/08	

01198



# Nonconformance Report

## NCR No. 1031

### CLOSURE OF NCR

Corrective Actions To Be Taken to Complete NCR Close-Out:

- 1) Video tape all stainless steel ductwork in place (including weld notations).
- 2) Video tape all areas possible where item/issue is found to be out of compliance with the Contract Documents.
- 3) Photograph all issues/items which are found to be out of compliance.
- 4) Provide CD of photographs taken.
- 5) Provide plans which correspond to the video and photographs for identification purposes.

YMC Representative:

*Steve Dean*

Date:

3/27/08

**\*CONDITIONAL RELEASE**

(IF applicable)

Justification:

**Not Applicable**

Signatures required if Conditional Release is applicable:

Wash. Gr. Representative: \_\_\_\_\_ Date: \_\_\_\_\_

YMC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

DPW Representative: \_\_\_\_\_ Date: \_\_\_\_\_

01199



2975 LANARK ST.  
MERIDIAN, ID 83642  
208-888-1727  
208-895-9699 FAX  
www.ymcinc.com

March 3, 2008

**Washington Group International**

720 Park Blvd.  
Boise, ID 83729  
208.386.5262  
208.386.7050 Fax

**Attention: Mr. Al Munio**

**Project: State of Idaho – Bio Safety Level 3 Lab**

**PR-007 – Provide Documentation for Existing Conditions**

At the request of the Owner, document existing conditions that are not in compliance with the Contract Documents. Documentation to include video of existing conditions, photograph(s) of existing conditions, preparation of drawings to properly index and identify the video and photographing of the existing conditions.

Initially, the documentation was intended for use on the stainless steel ductwork, however there were numerous other items/issues that required documentation.

Complete sets of drawings, video tapes and CD's (of photographs) will be provided.

All labor, miscellaneous materials, supervision and management included.

Total Price **\$18,284.32**

**Exclusions:**

Any work not mentioned above.

Respectfully,

Bill Graham

Valid for 30 Days



01200